

IN THE MATTER OF
THE APPLICATION OF
LEROY M. MERRITT
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 /D.R. 3.5 /M.L.R./
M.L.R.-I.M. AND M.L. TO M.L.-I.M.
ON PROPERTY LOCATED ON THE EAST
SIDE ROLLING ROAD OPPOSITE TUDSBURY
ROAD & NORTH/SIDE DOGWOOD ROAD,
EAST & WEST/SIDE PROPOSED LORD
BALTIMORE DRIVE (2601 ROLLING ROAD),
WINDSOR CORPORATE PARK /HEALTH CARE
FINANCING ADMINISTRATION /"HCFA")
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY, PLAINTIFF

ZONING CASE NO. R-92-241

PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND THE
BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, John G. Disney and Judson H.
Lipowitz, constituting the County Board of Appeals of Baltimore
County, and in answer to the Order for Appeal directed against them
in this case, herewith return the record of proceedings had in the
above-entitled matter, consisting of the following certified copies
or original papers on file in the Office of the Zoning Commissioner
and the Board of Appeals of Baltimore County:

No. R-92-241

November 21, 1991 Planning Board Meeting wherein it was voted to
certify to the County Council that early action
upon the Petition for zoning reclassification
of the Windsor Corporate Park property is
manifestly required.

December 2 Petition approved by County Council.

December 16 Petition for Reclassification from
D.R.5.5/D.R.3.5/MLR/MLR-IM and ML to ML-IM
filed by John B. Howard, Esquire, Counsel for
Petitioner, received by the Board of Appeals.

December 30 Revised Petition filed.

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
CG Doc. No. 17
Folio No. 352
File No. 92-CV-2641

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 2

January 2, 1992 Publication in newspapers.

January 10 Certificate of Posting of property.

January 28 Planning Board Comments.

January 30 Hearing before the Board of Appeals.

February 28 Opinion and Order of the Board GRANTING the
Petition for Reclassification to rezone the
entire site to M.L.-I.M.

March 20 Order for Appeal filed in the Circuit Court
for Baltimore County by Phyllis C. Friedman,
People's Counsel for Baltimore County.
Petition to accompany appeal also filed.

March 20 Certificate of Notice sent to interested
parties.

April 16 Transcript of testimony filed.

Petitioner's Exhibit No. 1 -Site Plan
2 -Aerial photograph.
3 -1000' scale
4 -OPZ recommendation

People's Counsel Exhibit No. 1-People's Counsel letter dated
January 30, 1992

April 16, 1992 Record of Proceedings filed in the Circuit
Court for Baltimore County.

Record of Proceedings pursuant to which said Order was entered
and upon which said Board acted are hereby forwarded to the Court,
together with exhibits entered into evidence before the Board.

Respectfully submitted,

Linda Lee M. Kuszmaul
Linda Lee M. Kuszmaul, Legal Secretary
County Board of Appeals, Room 49, Old
Courthouse, 400 Washington Avenue
Towson, Maryland 21204 (301) 887-3180

cc: Phyllis C. Friedman
People's Counsel for Baltimore County
Robert A. Hoffman, Esquire
Mr. Leroy M. Merritt
Mr. Raul Garcia

PEOPLE'S COUNSEL FOR
BALTIMORE COUNTY

Appellant

v.

LEROY M. MERRITT/WINDSOR
CORPORATE PARK

Appellee

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Docket:
File:
Zoning Case No. R-92-241

ANSWER TO PETITION

Leroy M. Merritt, as the legal owner of Windsor Corporate
Park, Appellee, by John H. Zink, III and Robert A. Hoffman
with Venable, Baetjer and Howard, his attorneys, in accordance
with Maryland Rule B9 answers the Appellant's Petition filed
in these proceedings as follows:

1. The Appellee denies that the "premise" for the zoning
reclassification of the Appellee's property was consideration
of the site for development by a governmental agency as
alleged in the first paragraph of the Appellant's Petition.
2. The Appellee denies the Appellant's conclusions
stated in paragraph 2 of the Petition.
3. The zoning reclassification of the Appellant's
property was necessary and required by law as the result of
errors in the original classification.
4. The record of the proceedings before the County Board
of Appeals of Baltimore County substantially supports the
Opinion and Order of the Board dated February 28, 1992.

EXHIBIT A-1003

JOHN H. ZINK, III

ROBERT A. HOFFMAN
Venable, Baetjer and Howard
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21204
(410) 494-6200
Attorneys for Appellee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of APRIL
1992, a copy of the foregoing Answer to Petition was mailed
to: PHYLLIS C. FRIEDMAN, ESQUIRE and PETER MAX ZIMMERMAN,
ESQUIRE, People's Counsel for Baltimore County, Room 47,
Courthouse, 400 Washington Avenue, Towson, Maryland 21204, and
to: KATHLEEN C. WEIDENHAMMER, Administrative Assistant,
County Board of Appeals of Baltimore County, Room 49,
Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

JOHN H. ZINK, III

MERRITT:ANS

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PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY,

Appellant

v.

LEROY M. MERRITT/WINDSOR
CORPORATE PARK,

Appellee

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

Docket No. 17

Folio No. 352

File No. 92-CV-2641

(Zoning Case No. R-92-241)

NOTICE OF APPEAL

Please note an appeal to the Circuit Court for Baltimore County from
the Opinion and Order of the County Board of Appeals under date of February
28, 1992, in the above-captioned matter.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 20th day of March, 1992, a copy of the
foregoing Notice of Appeal was served on the Administrative Assistant, County
Board of Appeals, Rm. 49, Courthouse, 400 Washington Ave., Towson, MD 21204;
and Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Ave.,
P. O. Box 5517, Towson, MD 21285-5517.

Phyllis Cole Friedman
Phyllis Cole Friedman

PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY,

Appellant

v.

LEROY M. MERRITT/WINDSOR
CORPORATE PARK,

Appellee

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

Docket No.

Folio No.

File No.

(Zoning Case No. R-92-241)

PETITION ON APPEAL

People's Counsel for Baltimore County, Appellants herein, having
heretofore filed a Notice of Appeal from the Opinion and Order of the
County Board of Appeals under date of February 28, 1992, in compliance
with Maryland Rule B2.e., files this Petition on Appeal setting forth
the grounds upon which this Appeal is taken, viz:

1. That the premise for this reclassification was that it was being
considered by the U. S. General Services Administration as a site for the
headquarters of the Health Care Financing Administration. Based upon an
article in The Sun of March 4, 1992, this site has been eliminated from
consideration. Therefore, there is no longer any public interest in this
site.
 2. That the record does not support the finding of error in the zoning
of this property by the County Council but instead, the Board of Appeals has
substituted its judgment for that of the Council.
- WHEREFORE, Appellant prays that the Opinion and Order of the Board of
Appeals of Baltimore County under date of February 28, 1992 be reversed,
and the action of the County Council of Baltimore County in zoning the subject
property D.R. 3.5, D.R. 5.5, M.L.R., M.L.R.-I.M., and M.L. be affirmed and
reinstated.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

- 2 -

Peter Max Zimmerman

Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 20th day of March, 1992, a copy of
the foregoing Petition on Appeal was served on the Administrative Assistant,
County Board of Appeals, Rm. 49, Courthouse, 400 Washington Ave., Towson,
MD 21204; and Robert A. Hoffman, Esquire, Venable, Baetjer and Howard,
210 Allegheny Ave., P. O. Box 5517, Towson, MD 21285-5517.

Phyllis Cole Friedman
Phyllis Cole Friedman

GSA pares list of HCFA sites to 3

2nd location dropped in Baltimore County

By Timothy J. Mullane
Staff Writer THE SUN, 3-4-92

The U.S. General Services Administration has ruled out a second
Baltimore County site as the next
headquarters of the federal Health
Care Financing Administration, as
county officials and union leaders

gear up for a campaign to keep
HCFA and its 5,000 local jobs in
Woodlawn.

Officials from the county and Bal-
timore have staged a fierce battle for
the HCFA headquarters, with the
city trumpeting the agency's ability
to regenerate the west side of down-
town and the county pointing to how
HCFA workers support businesses
in Woodlawn. The agency runs Medi-
care and Medicaid programs.

GSA has eliminated an 82-acre
site at Windsor Corporate Park in
Woodlawn.

Woodlawn proposed by Foulger-Prest
Development/Construction Inc. of
Montgomery County and owned by
local developer Leroy Merritt, said
Anthony J. Hally, an aide to Ken-
neth C. Meade, the county economic
development director.

GSA had already eliminated the
only Owings Mills site in the run-
ning, 40 acres near Owings Mills
Mall.

That means the choices are down
to three, two in the county and one
in the city. The county is pushing a
95-acre site at Rolling Wind Center
in Woodlawn or a 24-acre site at
Rolling Heights Business Center in
Woodlawn.

The city is pushing a site near the
new baseball stadium.

County officials led by County Ex-
ecutive Roger B. Hayden and Rep.
Helen D. Bentley, R-Md.-2nd, are ex-
pected to announce today a coalition
between the union representing
HCFA's workers and county busi-
nesses to pressure GSA to keep the
agency in Woodlawn.

IN THE MATTER OF
THE APPLICATION OF
LEROY M. MERRITT
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 /D.R. 3.5 /M.L.R./
M.L.R.-I.M. AND M.L. TO M.L.-I.M.
ON PROPERTY LOCATED ON THE EAST
SIDE ROLLING ROAD OPPOSITE TUDSBURY
ROAD & NORTH/SIDE DOGWOOD ROAD,
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BALTIMORE DRIVE (2601 ROLLING ROAD,
WINDSOR CORPORATE PARK /HEALTH CARE
FINANCING ADMINISTRATION /"HCFA")
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY, PLAINTIFF
ZONING CASE NO. R-92-241

CERTIFICATE OF NOTICE
Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, John G. Disney, and Judson H. Lipowitz, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Phyllis C. Friedman, People's Counsel for Baltimore County, Room 47, Old Courthouse, 400 Washington Avenue, Towson, Maryland, 21204, Plaintiff; Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for Defendant; Mr. Leroy M. Merritt, 2066 Lord Baltimore Drive, Baltimore, Maryland 21207, Defendant; Raul Garcia, Vice-President, Foulger Pratt Development, Inc. 1355 Piccard Drive, Suite 400, Rockville, Maryland 20850, Contract Purchaser; and Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49, Basement, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, a copy

IN THE MATTER OF
THE APPLICATION OF
LEROY M. MERRITT
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 /D.R. 3.5 /M.L.R./
M.L.R.-I.M. AND M.L. TO M.L.-I.M.
ON PROPERTY LOCATED ON THE EAST
SIDE ROLLING ROAD OPPOSITE TUDSBURY
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BALTIMORE DRIVE (2601 ROLLING ROAD,
WINDSOR CORPORATE PARK /HEALTH CARE
FINANCING ADMINISTRATION /"HCFA")
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

OPINION
This case comes before this Board on an out-of-cycle reclassification petition. The case was heard this day in its entirety.
This case is of a somewhat unusual nature and merits special consideration by this Board. General Services Administration representatives (hereinafter "GSA") have indicated to Baltimore County officials their desire to purchase a substantial parcel of land upon which they intend to erect an 800,000+ square-foot office building and 3,000+ parking spaces to service the same. Their main concern, as far as any site consideration, is that the property be free and clear of any restrictions and ready for the submission of building permits. All of Baltimore County is desirous of seeing this project come to fruition, not only for the tremendous increase in tax base to the County but also for the many, many new job opportunities it will make available. The County Executive wants this project to proceed, the Planning Office emphatically supports it, the County Council unanimously agreed to the out-of-cycle reclassification petition so that the project could proceed, and it

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Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 2
of which Notice is attached hereto and prayed that it may be made a part hereof.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Phyllis C. Friedman, People's Counsel for Baltimore County, Room 47, Old Courthouse, 400 Washington Avenue, Towson, Maryland, 21204, Plaintiff; Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for Defendant; Mr. Leroy M. Merritt, 2066 Lord Baltimore Drive, Baltimore, Maryland 21207, Defendant; Raul Garcia, Vice-President, Foulger Pratt Development, Inc. 1355 Piccard Drive, Suite 400, Rockville, Maryland 20850, Contract Purchaser; and Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49, Basement, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on this 20th day of March, 1992.

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul, Legal Secretary,
County Board of Appeals, Room 49, Old
Courthouse, 400 Washington Avenue,
Towson, Maryland 21204 (410) 887-3180

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 20, 1992

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

Re: Case No. R-92-241 (Leroy M. Merritt/Windsor Corporate Park)

Dear Mr. Hoffman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

cc: Mr. Leroy M. Merritt
Mr. Raul Garcia
Mr. James Earl Kraft
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 20, 1992

Phyllis C. Friedman
People's Counsel for Baltimore County
Room 304, County Office Building
Towson, Maryland 21204

Re: Case No. R-92-241 (Leroy M. Merritt/Windsor Corporate Park)

Dear Ms. Friedman:

In accordance with Rule B-7(a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you file in Court, in accordance with Rule B-7(a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 2
would appear that everyone in Baltimore County will benefit if the proposal is completed. All of these factors must be considered by this Board, but the Board is constrained to grant a reclassification only if the existing classification is in error.

Testimony in favor of this proposal was received from five witnesses. Opposition to the reclassification from People's Counsel was not actively pursued, but People's Counsel emphasized that in their estimation the strict finding of error in the existing classification was not justified.

Anthony J. Halsey, Deputy Director of Economic Development for Baltimore County, testified that he is familiar with this site, and this site has ideal potential for the erection of the Health Care Financing Administration complex (hereinafter "HCFA"). He testified that this site has been submitted to the GSA, and they would be the contract purchaser. Their requirement that all zoning matters be settled and that the parcel be ripe for building permits requires the reclassification and the redistricting of the abutting parcels of non-M.L.-I.M. zoning. He further testified that the GSA will award the contract for the final site some time this summer.

Gary James Swatko, who is the site designer and developer for the property owner, described at length the site location and introduced Petitioner's Exhibit No. 1 which shows the zoning reclassification requests. He noted, for the Board's education, that if the residential zoning that exists in strips on the edges is maintained restrictions would be imposed on the site that would make it unsuitable. It was his opinion that the County Council was in error on the 1988 maps not to zone the entire property one zone

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Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 3
or the other, rather than the hodgepodge of zoning that now exists.

Wesley Guckert, Traffic Engineer, testified that there are no deficient intersections in this area, that the change in traffic density from the proposed zoning would be insignificant, and that the zoning as exists is in error because what it would do would be to force all the M.L. traffic through the residential areas. If the rezoning is granted, the proposed Tudsbury Road would service the complex and would avoid all the residential areas.

William Walker was the last to testify. Mr. Walker is a land planner and real estate consultant. It was his opinion that the present zoning is in error, that directly abutting the entire site on the east is 100 acres of M.L. with I.M. zoning, and specifically stated his reasons why the residential zoning abutting this site was in error. He also noted that the proposed use was approved as far as the Master Plan for Baltimore County recommendations. This concluded the direct testimony in this case.

The Board is of the opinion that the zoning as it presently exists is in fact in error. A careful study of Petitioner's Exhibit No. 1 shows little narrow strips of various zoning on two sides of the site. To the south there is a parcel of D.R. 3.5. This parcel of D.R. 3.5 abuts a narrow parcel of M.L.R., and this appears to be in error as regarding the transition from industrial to light density residential. This very thin M.L.R. parcel which totals 7+ acres abuts three sides of the main parcel and has virtually no obvious use. The western side of the site has a parcel of D.R. 5.5 of some 16 acres. This parcel as zoned for residential use in the proximity of all the industrial uses is in

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 4
the opinion of this Board in error. The main portion of the site is already zoned M.L. and contains some 55 acres. It is abutted on the east in its entirety by an M.L.-I.M. zone containing 100 acres. The logical use of this property dictates that this M.L.-I.M. zone be extended to encompass the entire site. For all these reasons, the Board finds as a fact that the present zoning is in error and that the zoning as petitioned for should be granted, and will so order.

ORDER

IT IS THEREFORE this 28th day of February, 1992 by the County Board of Appeals of Baltimore County ORDERED that the zoning for the entire site of some 84+/- acres as petitioned for be and the same is GRANTED; and that the entire site be rezoned to M.L.-I.M.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Judson H. Lipowitz
Judson H. Lipowitz

John G. Disney
John G. Disney



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 318
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

OLD COURTHOUSE
ROOM 43
400 WASHINGTON AVE.
(301) 887-3180

February 28, 1992

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, MD 21285-5517

RE: Case No. R-92-241
Leroy M. Merritt /
Windsor Corp. Park

Dear Mr. Hoffman:

Enclosed please find a copy of the final Opinion and Order
issued this date by the County Board of Appeals of Baltimore County
in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: John B. Howard, Esquire
Mr. Leroy M. Merritt
Raul Garcia, Vice President
Foulger Pratt Development, Inc.
Mr. James Earl Kraft
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotzko
Zoning Supervisor
W. Carl Richards, Jr.
Pocket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

RECEIVED
MAY 2 1992
ZONING OFFICE

MICROFILMED

Description To Accompany Petition For
Zoning Reclassification
Windsor Corporate Park

R-92-241

REVISED PLANS
RECEIVED DEC 23 1991

Beginning for the first at a point located S 13°47' 02" E 121.01 feet
from the centerline P.I. intersection of Rolling Road and Tudsbury Road,
running thence in a clockwise direction the following:

1. N 03°01' 41" E 405.81 feet
2. Radius = 2256.83 feet, Length = 4.31 feet,
Chord = N 03°05' 02" E 4.31 feet
3. S 87°25' 55" E 219.18 feet
4. N 09°38' 05" E 92.43 feet
5. S 87°55' 45" E 869.42 feet
6. N 04°28' 44" W 356.01 feet
7. N 64°32' 12" W 12.99 feet
8. N 03°10' 49" W 11.07 feet
9. N 65°17' 19" W 224.11 feet
10. N 46°59' 58" E 229.53 feet
11. N 33°53' 18" W 130.41 feet
12. N 56°21' 44" E 277.46 feet
13. S 20°11' 48" E 303.90 feet
14. N 70°35' 04" E 22.45 feet
15. S 17°54' 11" E 443.37 feet
16. N 69°34' 27" E 700.10 feet
17. S 17°25' 50" E 25.15 feet
18. S 69°34' 27" W 125.56 feet
19. S 18°08' 03" E 147.58 feet
20. N 69°34' 27" E 123.75 feet
21. S 17°25' 50" E 937.04 feet
22. N 72°15' 19" E 36.97 feet
23. S 18°20' 02" E 50.76 feet
24. N 73°58' 34" E 200.05 feet
25. S 18°58' 14" E 1023.40 feet
26. S 67°29' 58" W 63.45 feet
27. S 05°10' 02" E 182.25 feet
28. N 85°14' 33" W 109.18 feet
29. S 18°44' 33" E 14.85 feet
30. N 79°29' 33" W 495.00 feet
31. N 88°05' 24" W 274.80 feet
32. N 05°30' 28" W 217.07 feet
33. N 87°30' 28" W 208.67 feet
34. N 05°27' 20" W 645.69 feet
35. S 83°08' 14" W 271.60 feet
36. S 84°31' 05" W 243.15 feet

37. S 83°17' 01" W 341.83 feet
38. N 12°16' 32" W 443.89 feet
39. N 87°44' 59" W 1210.39 feet

To the place of beginning containing 82.323 Acres +/-.

Beginning for the second at a point located N 08°09' 40" E 518.49' from
the centerline P.I. intersection of Rolling Road and Tudsbury Road, running
thence in a clockwise direction the following:

1. Radius = 2256.83 feet, Length = 137.07 feet,
Chord = N 10°31' 34" E 137.05 feet
2. N 12°15' 59" E 173.72 feet
3. S 78°27' 55" E 204.57 feet
4. S 09°09' 44" W 303.80 feet
5. N 80°21' 55" W 217.07 feet

To the place of beginning containing 1.497 Acres +/-.

The two descriptions containing a total of 83.820 Acres +/-.

M.L. 54.144 Ac. +/-
M.L.R.-IM 2.081 Ac. +/-
D.R. 5.5 16.213 Ac. +/-
M.L.R. 7.444 Ac. +/-
D.R. 3.5 3.938 Ac. +/-

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY! NOT TO BE
USED FOR CONVEYANCES OR AGREEMENTS.

R-92-241
PETITION FOR ZONING RE-CLASSIFICATION & RESTRICTING
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition (1)
that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law
of Baltimore County, from D.R. 5.5, D.R. 3.5, M.L.R.-IM and M.L. to IM-1M,
zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the
said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property,
for

and (3) for the reasons given in the attached statement, a variance from the following sections of
the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance,
posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning
regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore
County.

Contract Purchaser:

Foulger Pratt Development, Inc.
(Type or Print Name)
Raul Garcia
Signature Raul Garcia, V.P.

Address
1355 Piccard Drive, Suite 400
City and State Rockville, MD 20850
(301) 948-0522
Attorney for Petitioner:

John B. Howard, Esquire
(Type or Print Name)
John B. Howard
Signature
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-4111

Legal Owner(s):

Leroy M. Merritt
(Type or Print Name)

Leroy M. Merritt
Signature
(Type or Print Name)

Address
2066 Lord Baltimore Drive, 228-2600
Baltimore, Maryland 21207
City and State

Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
John B. Howard, Esquire
Name
210 Allegheny Avenue, 823-4111
Address Phone No.

BARC-Form 1

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD. 112 1992

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 112 1992

THE JEFFERSONIAN.

C. Toke Orlean
Publisher

112.56

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 1/14/92
Posted for: Raul Garcia
Petitioner: Windsor Corp. & Foulger Pratt Development, Inc.
Location of property: 2201 Rolling Rd.
Location of signs: Signs Rolling Rd. near 22nd St. on Siding
on property to be rezoned
Remarks:
Posted by: *M. H. Merritt* Date of return: 1/14/92
Number of Signs: 1

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

CASE #R-92-241

Account: R-001-4150
Number

12/13/91

H920661 Item
No.

PUBLIC HEARING FEES	QTY	PRICE
000 - RECLASSIFICATION	1 X	\$175.00
LAST NAME OF OWNER: MERRITT	TOTAL:	\$175.00

Cashier Validation

Please Make Checks Payable To: Baltimore County \$175.00
BA 101210601-20-91

MICROFILMED



receipt

CASE #R-92-241

Account: R-001-6150
Number

12/13/91

H9200388 Item No.

PUBLIC HEARING FEES

QTY PRICE

060 -RECLASSIFICATION

1 X \$175.00

LAST NAME OF OWNER: MERRITT

TOTAL: \$175.00

Please Make Checks Payable To: Baltimore County

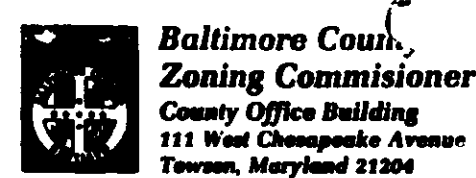
R-92-241

12-13-91

PER BOB HOFFMAN, SIGNED
PETITIONS & MONEY WILL BE
BROUGHT IN ON MONDAY,
DEC. 16. PROCEED WITH THE
PROCESSING PER WCR.

Sophia

MICROFILMED



receipt

Date: 12/30/91

Account: R-001-6150
Number

REVISION FEE \$75.00

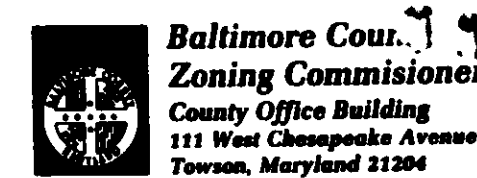
WINDSOR CORPORATE PARK (HEALTH CARE FINANCING ADMIN. "HCFA")

LEGAL OWNER: LEROY M. MERRITT
CONTRACT PURCHASER: FOULGER PRATT DEVELOPMENT, INC.

CASE #R-92-261

MICROFILMED

04024003881000 175.00
Please Make Checks Payable To: Baltimore County



receipt

Date: 12/31/91

Account: R-001-6150
Number: H9200388

REVISED PUBLIC HEARING FEES

QTY PRICE

110 -REVISIONS (ALL OTHERS)

1 X \$75.00

LAST NAME OF OWNER: MERRITT

TOTAL: \$75.00

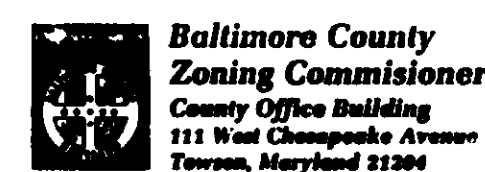
Please Make Checks Payable To: Baltimore County

MICROFILMED

CASE NO. 92-CV-2641
PEOPLE'S COUNSEL v. LEROY M. MERRITT/WINDSOR
FOR BALTIMORE COUNTY CORPORATE PARK
RECEIVED FROM THE COUNTY BOARD OF APPEALS
EXHIBITS, BOARD'S RECORD EXTRACT & TRANS-
SCRIPT FILED IN THE ABOVE-ENTITLED CASE,
AND ZONING COMMISSIONER'S FILE & EXHIBITS.

S. S. Saunders
Clerk's Office

Date: 4/16/92



receipt

Date: 12/30/91

Account: R-001-6150
Number

REVISION FEE \$75.00

WINDSOR CORPORATE PARK (HEALTH CARE FINANCING ADMIN. "HCFA")

LEGAL OWNER: LEROY M. MERRITT
CONTRACT PURCHASER: FOULGER PRATT DEVELOPMENT, INC.

CASE #R-92-261
241

04024003881000 175.00
Please Make Checks Payable To: Baltimore County

Form 204

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE

COUNTY COURTS BUILDING

401 Bayview Avenue

P.O. Box 6754

Towson, Maryland, 21205-6754

April 29, 1992

Notice Register - 92-2641

Jury Assignment - Civil

General Assignment Conference

- 92-2641

Non-Jury Assignment - Civil

Special Assignment Conference

TO:

Phyllis G. Friedman, Esq.
Peter M. Friedman, Esq.

John E. Smith, III, Esq.
Robert A. Hoffman, Esq.

County Board of Appeals
of Baltimore County

RE: New-Jury 92-CV-2641 People's Counsel for Balto. Co. vs. Leroy M. Merritt/Windsor Corporate Park

HEARING DATE:

Thursday, July 30, 1992, @ 9:30 a.m.

ON THE FOLLOWING:

Appeal: 1 hour

Please see the below notation.

UPON RECEIPT OF THIS NOTICE, Counsel shall contact each other immediately to conform calendars. Claim of not receiving notice will not constitute reason for postponement.

If the above Hearing Date is not acceptable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS PRIOR TO 30 DAYS OF TRIAL should be directed to the attention of the Assignment Office. POSTPONEMENTS WITHIN 30 DAYS OF TRIAL must be made to the attention of the Director of Court Assignments-Joyce Orsini-867-5497.

SETTLEMENT: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put on the record if an order of settlement is filed prior to trial.

NOTICE OF HEARING

Petition for Zoning Reclassification

CASE NUMBER: R-92-241

2501 Rolling Road

Windsor Corporate Park (Health Care Financing Administration "HCFA")

Legal Owner(s): Leroy Merritt

Contract Purchaser(s): Foulger Pratt Development, Inc.

2nd Election District - 2nd Councilmanic

HEARING: THURSDAY, JANUARY 30, 1992 at 10:00 a.m.

RECLASSIFICATION: Petition to reclassify the property from D.R.3.5, D.R.3.5, M.R., M.R.-IM and M.L. zoning to M.L.-IM zoning.

PROPERTY DESCRIPTION

Beginning for the same at a point located S 13 degrees 47 minutes 02 seconds E 121.01 feet from the cornerline P.I. Intersection of Rolling Road and Tulebury Road, running thence in a clockwise direction the following: N 03 degrees 01 minutes 41 seconds E 405.81 feet; thence S 225.83 feet; thence S 4.31 feet; thence S 03 degrees 05 minutes 02 seconds E 4.31 feet; S 87 degrees 25 minutes 05 seconds E 1102.96 feet; N 11 degrees 25 minutes 42 seconds E 87.25 feet; N 03 degrees 10 minutes 49 seconds E 14.53 feet; S 87 degrees 55 minutes 45 seconds E 19.55 feet; N 04 degrees 28 minutes 44 seconds E 356.01 feet; N 64 degrees 32 minutes 12 seconds E 12.99 feet; N 03 degrees 10 minutes 49 seconds E 11.07 feet; N 05 degrees 17 minutes 19 seconds E 224.11 feet; N 46 degrees 59 minutes 58 seconds E 229.53 feet; S 33 degrees 53 minutes 18 seconds E 120.41 feet; S 56 degrees 21 minutes 44 seconds E 577.46 feet; S 20 degrees 11 minutes 48 seconds E 503.99 feet; N 70 degrees 35 minutes 04 seconds E 22.45 feet; S 17 degrees 54 minutes 11 seconds E 463.37 feet; N 69 degrees 34 minutes 27 seconds E 700.10 feet; S 17 degrees 25 minutes 30 seconds E 25.25 feet; S 69 degrees 34 minutes 27 seconds E 125.56 feet; S 18 degrees 08 minutes 30 seconds E 147.58 feet; N 69 degrees 34 minutes 27 seconds E 125.75 feet; S 17 degrees 25 minutes 30 seconds E 937.04 feet; N 72 degrees 15 minutes 19 seconds E 36.97 feet; S 18 degrees 20 minutes 02 seconds E 50.76 feet; N 73 degrees 58 minutes 34 seconds E 200.05 feet; S 18 degrees 58 minutes 14 seconds E 1023.40 feet; S 67 degrees 29 minutes 58 seconds E 63.45 feet; S 05 degrees 10 minutes 02 seconds E 182.25 feet; N 85 degrees 14 minutes 33 seconds E 109.18 feet; S 18 degrees 44 minutes 33 seconds E 14.85 feet; N 79 degrees 29 minutes 33 seconds E 495.00 feet; N 88 degrees 05 minutes 28 seconds E 274.80 feet; N 05 degrees 30 minutes 28 seconds E 217.07 feet; N 87 degrees 30 minutes 28 seconds E 268.67 feet; N 05 degrees 27 minutes 20 seconds E 645.69 feet; S 83 degrees 08 minutes 14 seconds E 271.60 feet; S 84 degrees 31 minutes 05 seconds E 243.15 feet; S 83 degrees 17 minutes 01 seconds E 341.83 feet; N 12 degrees 16 minutes 32 seconds E 443.89 feet; N 87 degrees 44 minutes 59 seconds E 1210.39 feet.

To the place of beginning containing 61.46 acres, more or less.

HEARING:

THURSDAY, JANUARY 30, 1992 at 10:00 a.m.
County Courthouse - Room 49, 400 Washington Avenue Towson, Maryland 21204

WILLIAM T. HACKETT,
CHAIRMAN, COUNTY BOARD OF APPEALS

NOTICE OF HEARING
Petition for Zoning Reclassification
CASE NUMBER: R-92-241
2501 Rolling Road
Windsor Corporate Park (Health Care Financing Administration "HCFA")
Legal Owner(s): Leroy Merritt
Contract Purchaser(s): Foulger Pratt Development, Inc.
2nd Election District - 2nd Councilmanic
HEARING: THURSDAY, JANUARY 30, 1992 at 10:00 a.m.

RECLASSIFICATION: Petition to reclassify the property from D.R.5.5, D.R.3.5, M.L.-IM and M.L. zoning to M.L.-IM zoning.

PROPERTY DESCRIPTION
Beginning for the same at a point located S 13 degrees 47 minutes 02 seconds E 121.01 feet from the centerline P.I. intersection of Rolling Road and Tudbury Road, running thence in a clockwise direction the following: S 03 degrees 01 minutes 41 seconds E 405.81 feet; thence S 256.83 feet; length - 4.31 feet; thence S 03 degrees 05 minutes 02 seconds E 4.31 feet; S 87 degrees 25 minutes 15 seconds E 1102.80 feet; S 11 degrees 26 minutes 42 seconds E 87.25 feet; S 03 degrees 10 minutes 49 seconds E 14.53 feet; S 87 degrees 35 minutes 45 seconds E 15.55 feet; S 04 degrees 28 minutes 44 seconds E 356.01 feet; S 64 degrees 32 minutes 12 seconds E 12.99 feet; S 03 degrees 10 minutes 49 seconds E 11.07 feet; S 65 degrees 17 minutes 19 seconds E 224.11 feet; S 46 degrees 59 minutes 58 seconds E 229.53 feet; S 33 degrees 53 minutes 18 seconds E 135.41 feet; S 56 degrees 21 minutes 44 seconds E 577.46 feet; S 20 degrees 11 minutes 48 seconds E 503.99 feet; S 70 degrees 35 minutes 04 seconds E 22.45 feet; S 17 degrees 54 minutes 11 seconds E 463.37 feet; S 69 degrees 34 minutes 27 seconds E 700.10 feet; S 17 degrees 25 minutes 50 seconds E 25.25 feet; S 69 degrees 34 minutes 27 seconds E 125.56 feet; S 18 degrees 08 minutes 30 seconds E 147.58 feet; S 69 degrees 34 minutes 27 seconds E 122.75 feet; S 17 degrees 25 minutes 50 seconds E 307.04 feet; S 72 degrees 15 minutes 19 seconds E 36.97 feet; S 18 degrees 20 minutes 02 seconds E 50.76 feet; S 73 degrees 58 minutes 34 seconds E 200.05 feet; S 18 degrees 58 minutes 14 seconds E 1023.40 feet; S 67 degrees 29 minutes 58 seconds E 63.45 feet; S 05 degrees 10 minutes 02 seconds E 182.25 feet; S 85 degrees 14 minutes 33 seconds E 109.18 feet; S 18 degrees 44 minutes 33 seconds E 14.85 feet; S 79 degrees 29 minutes 33 seconds E 495.00 feet; S 88 degrees 05 minutes 24 seconds E 274.80 feet; S 05 degrees 30 minutes 28 seconds E 217.07 feet; S 87 degrees 30 minutes 28 seconds E 208.47 feet; S 05 degrees 27 minutes 20 seconds E 545.49 feet; S 83 degrees 08 minutes 14 seconds E 271.60 feet; S 84 degrees 21 minutes 05 seconds E 243.15 feet; S 83 degrees 17 minutes 01 seconds E 341.83 feet; S 12 degrees 16 minutes 32 seconds E 443.89 feet; S 87 degrees 44 minutes 59 seconds E 1220.39 feet;
To the place of beginning containing 80.426 acres, more or less.

HEARING:
THURSDAY, JANUARY 30, 1992 at 10:00 a.m.
County Courthouse - Room 49, 600 Washington Avenue Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

Leroy Merritt
7066 Lord Baltimore Drive
Baltimore, Maryland 21207
Foulger Pratt Development, Inc.
1355 Picard Drive, Suite 400
Rockville, Maryland 20850

Re: Petition for Zoning Reclassification
CASE NUMBER: R-92-241
2501 Rolling Road
Windsor Corporate Park (Health Care Financing Administration "HCFA")
Legal Owner(s): Leroy Merritt
Contract Purchaser(s): Foulger Pratt Development, Inc.
2nd Election District - 2nd Councilmanic
HEARING: THURSDAY, JANUARY 30, 1992 at 10:00 a.m.

Dear Petitioner(s):

This is to advise you that \$_____ is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

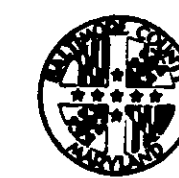
THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and immediately mail same to the attention of G. Stephens, Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Very truly yours,

Arnold Jablon
Director

cc: Robert Hoffman, Esq.



County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 887-3195
Fax (301) 887-5791

COUNCIL

Bertha L. Manley
FIRST DISTRICT

Melvin G. Mintz
SECOND DISTRICT

Charles A. Rappenhagen, III
THIRD DISTRICT

Douglas B. Riley
FOURTH DISTRICT

Vince Cardina
FIFTH DISTRICT

William A. Howard, IV
SIXTH DISTRICT

Donald C. Mason
SEVENTH DISTRICT

Thomas Toporovich
EIGHTH DISTRICT

Thomas J. Peddicord, Jr.
LEGISLATIVE COUNSEL

December 3, 1991

Mr. William T. Hackett, Chairman
Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

Dear Mr. Hackett:

Attached please find a copy of Resolution 91-91 to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Leroy Merritt, owner, for 85 acres of land in the Windsor Corporate Park located at 2601 Rolling Road in the Second Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356 of the Baltimore County Code, 1988, as amended.

This Resolution was unanimously approved by the County Council at their meeting on Monday, December 2, 1991 and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure
R9191/DAP/TJP

cc: P. David Fields, Director
Office of Planning and Zoning

15:11 11/4 4-03016

MICROFILMED

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1991, LEGISLATIVE DAY NO. 22
RESOLUTION NO. 91-91

MR. MELVIN G. MINTZ, COUNCILMAN

BY THE COUNTY COUNCIL, DECEMBER 2, 1991

A RESOLUTION to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Leroy Merritt, owner, for 85 acres of land in the Windsor Corporate Park located at 2601 Rolling Road in the Second Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356 of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated November 21, 1991, has certified that early action on the Petition for Zoning Reclassification filed on behalf of Leroy Merritt requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(i) may approve said certification and exempt the Petition for Zoning Reclassification from the regular cycle procedure of Section 2-356.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning Reclassification Petition filed on behalf of Leroy Merritt be and the same as hereby approved; and

BE IT FURTHER RESOLVED that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(i) of the Baltimore County Code.

R9191/RZ591

MICROFILMED

"ZONING ADVISORY COMMITTEE"
MEETING OF DECEMBER 23, 1991

R-92-241
Item #261
Legal Owner: Leroy M. Merritt
Contract Purchaser: Foulger Pratt Development, Inc.
Location: E/S Rolling Road, opposite Tudbury Road and N/S Dogwood Road, E & W/S Proposed Lord Baltimore Drive (#2601 Rolling Road, Windsor Corporate Park - Health Care Financing Administration "HCFA")
Existing Zoning: M.L.R. -- 7.62 acres
M.L.R.-I.M. -- 2.12 acres
M.L. -- 53.6 acres
D.R.-3.5 -- 4.04 acres
D.R.-5.5 -- 16.97 acres
Proposed Zoning: Reclassification to M.L.-I.M.
Area: 84 (+/-) acres
District: 2nd Election District
2nd Councilmanic District

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

December 13, 1991

TO: Baltimore County Zoning Plans Advisory Committee
FROM: W. Carl Richards, Jr.
Zoning Coordinator (887-3391)
SUBJECT: Out-of-Cycle Documented Zoning Reclassification Petition
Case Number R-92-241
Windsor Corporate Park (Health Care Financing Administration "HCFA")
Legal Owner: Leroy M. Merritt
Contract Purchaser: Foulger Pratt Development, Inc.
2601 Rolling Road
E/S Rolling Road, opposite Tudbury Road and N/S Dogwood Road, E & W/S Proposed Lord Baltimore Drive
2nd Election District; 2nd Councilmanic District

THE ABOVE REFERENCED PETITION HAS BEEN EXEMPTED FROM THE REGULAR CYCLICAL BI-YEARLY ZONING RECLASSIFICATION PROCEDURE BY CERTIFICATION OF THE BALTIMORE COUNTY PLANNING BOARD ON NOVEMBER 21, 1991 AND BY RESOLUTION OF THE BALTIMORE COUNTY COUNCIL DATED DECEMBER 2, 1991 (ATTACHED). PURSUANT TO SECTION 2-58.1(i) OF THE BALTIMORE COUNTY CODE, THE COUNTY BOARD OF APPEALS HAS SET A VERY EARLY HEARING DATE OF THURSDAY, JANUARY 30, 1992 AT 10:00 A.M. BECAUSE OF THE ACCELERATED PROCEDURE AND VERY EARLY HEARING DATE, YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR COMMENTS TO THIS OFFICE UNDER THE ABOVE REFERENCE PRIOR TO THE HEARING DATE. IF YOU SHOULD NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE ENGINEER, ATTORNEY OR MYSELF IMMEDIATELY.

WCR:scj

MICROFILMED

Baltimore County Government
Planning Board

401 Bosley Avenue
Towson, MD 21204

887-3211

November 22, 1991

Hon. Douglas B. Riley
Chairman, Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on Reclassification Petition (Windsor Corporate Park property)

Dear Councilman Riley:

At its regular monthly meeting on November 21, 1991, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition for zoning reclassification of the Windsor Corporate Park property is manifestly required.

Enclosed herewith is a copy of the report as approved by the Planning Board. The County planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely yours,

P. David Fields
Secretary to the Planning Board

PDF/TD/mjm
WINDSOR/TXTMJM

cc: Members, Baltimore County Council
Merreen E. Kelly, Administrative Officer
Thomas Peddicord, Jr., Legislative Counsel/Secretary
Arnold Jablon, Director, ZADM
William T. Hackett, Chairman, Board of Appeals
Phyllis Cole Friedman, Esquire, People's Counsel
Robert A. Hoffman, Esquire

98-8-11 12-10-16

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Baltimore County Planning Board
DATE: November 20, 1991
FROM: P. David Fields, Director
Office of Planning & Zoning
SUBJECT: REQUEST FOR CERTIFICATION - WINDSOR CORPORATE PARK

The attached letter and other documents from Robert Hoffman, Esquire, on behalf of Leroy Merritt, requests certification by the Planning Board for out-of-cycle action on a zoning petition for reclassification of approximately 21 acres of D.R. 5.5 and D.R. 3.5 to M.L.-IM; approximately 10 acres of M.L.R. and M.L.-IM to M.L.-IM; and the redistricting of approximately 54 acres of M.L. to M.L.-IM.

Section 2-356(i) of the County Code authorizes the Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

The subject request for certification has been reviewed by OPZ staff, and without taking a position on the merits of the case, we recommend that the Board should certify that early action upon this zoning reclassification petition is required.

P. David Fields

PDF/JL/lw
DFWINDC.ORG/TXTLLF

MICROFILMED

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
Baltimore, MD
WASHINGTON, D.C.
HAGERSTOWN, MD
ROCKVILLE, MD
BETHESDA, MD
TOWSON, MARYLAND 21204-5517
(301) 832-4111
FAX (301) 832-4147

November 19, 1991

494-9162

P. David Fields
Director
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Out of Cycle Reclassification Request
Windsor Corporate Park
Located at 2601 Rolling Road
Leroy M. Merritt, Petitioner

Dear Mr. Fields:

As you know, Leroy Merritt has filed an issue with your office for a rezoning of approximately 21 acres of D.R. 5.5 and D.R. 3.5 to ML-IM, and approximately 10 acres of MLR and MLR-IM to ML-IM; the request also includes a redistricting of approximately 54 acres of ML to ML-IM (Issue No. 2-039). A copy of the 500' scale tax map and 1,000' scale zoning map is enclosed. As we discussed, Mr. Merritt wishes to file a Reclassification Petition consistent with the Comprehensive Map Issue #2-039 pursuant to Section 2-356 of the Baltimore County Code as being manifestly in the public interest.

As you know, this site has been identified as a potential development site for the Health Care Financing Administration ("HCFA") office project. The HCFA project would encompass approximately 700,000 square feet of office space and would employ over 3,000 individuals, making it a potentially significant asset to the County.

Currently, Baltimore City and Baltimore County are vying to bring this development to their respective jurisdictions. Rezoning

P. David Fields
November 19, 1991
Page 2

this property as requested will permit the property owner or developer more flexibility in properly designing the site for HCFA for both building and parking locations. It is therefore, respectfully submitted that it is clearly in the public interest to take the referenced zoning reclassification petition out of cycle.

Therefore, on behalf of Leroy Merritt, we respectfully request that you ask the Planning Board to consider at its next meeting on November 21, 1991, to certify to the County Council that it is in the public interest for the Board of Appeals to hear this case out of cycle.

If you have questions or comments please do not hesitate to contact me.

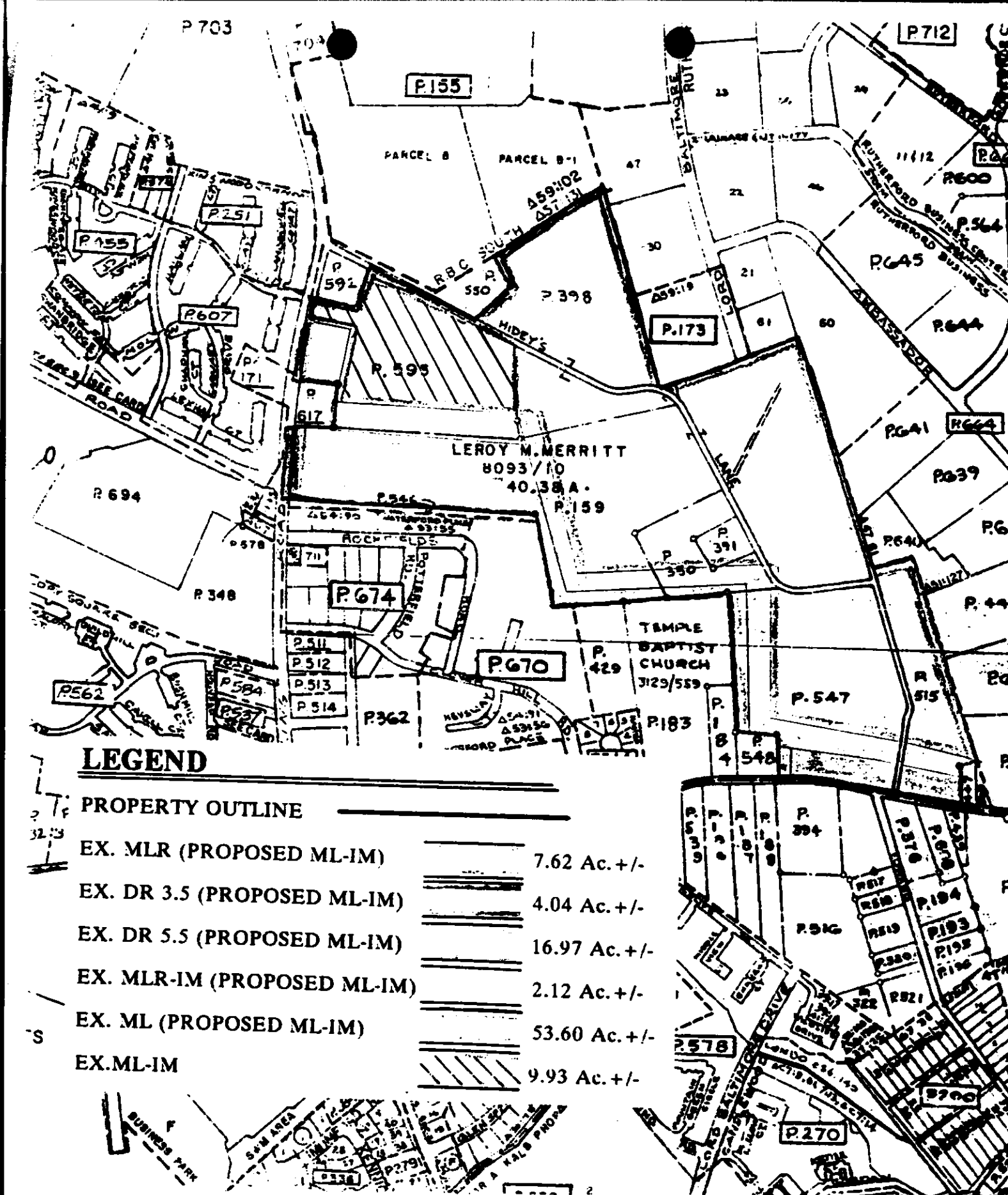
Yours truly,

Robert A. Hoffman

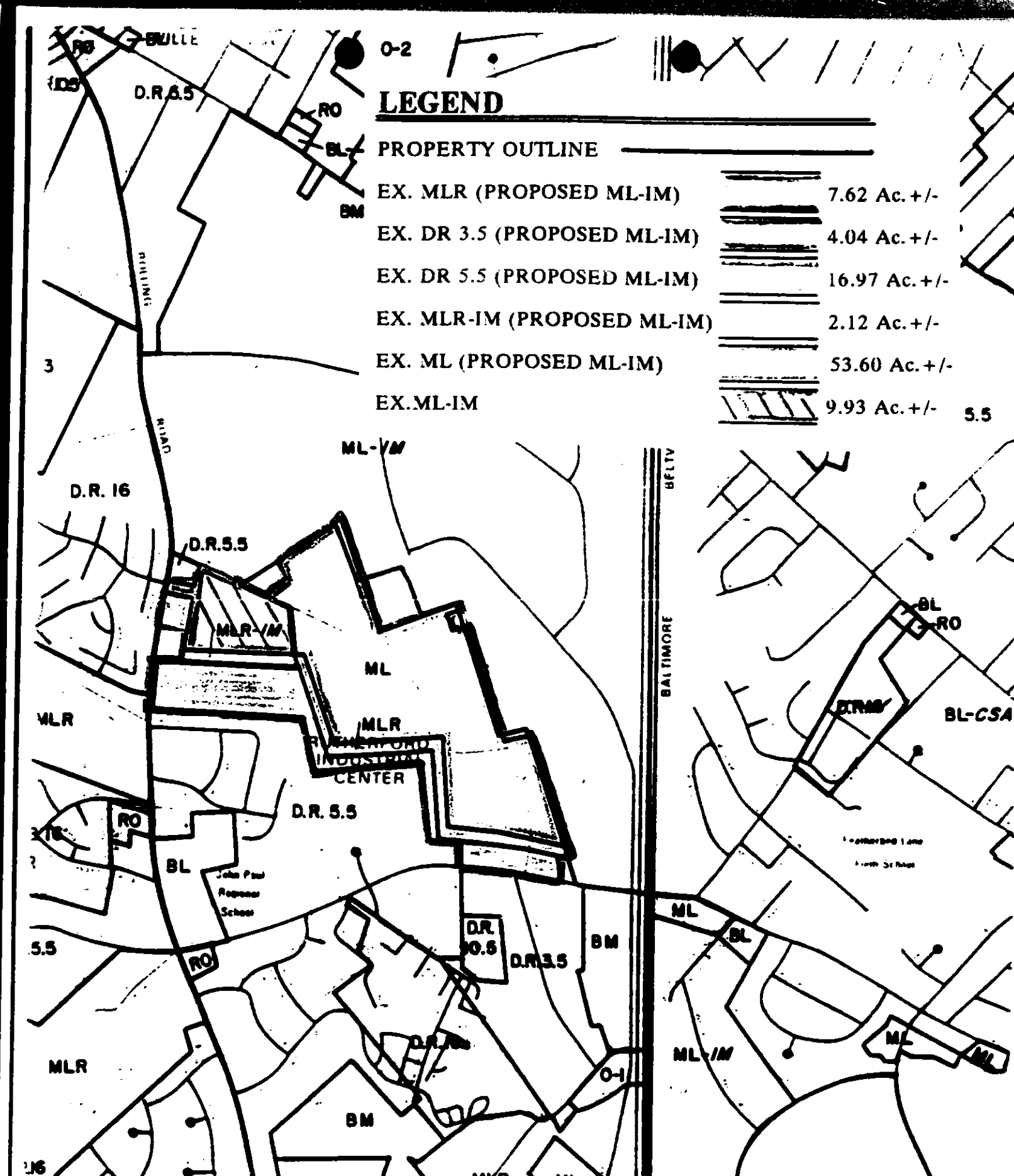
RAH/dok

Enclosure

cc: Leroy M. Merritt
Gary J. Swatko



PART OF 1"=600' BALTIMORE COUNTY TAX MAP 87



PART OF 1"=1000' BALTIMORE COUNTY ZONING MAP F-2

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman DATE: January 28, 1992
Baltimore County Board of Appeals
FROM: Arnold F. "Pat" Keller, III
Deputy Director
Office of Planning & Zoning
SUBJECT: CASE NO. R92-241/LEROY M. MERRITT PROPERTY

At its regular monthly meeting on November 21, 1991, the Baltimore County Planning Board, voted in accordance with Section 2-356 (1) of the County Code, to certify to the County Council that early action upon the Petition for zoning reclassification of the Leroy M. Merritt Property is manifestly required.

The County Council unanimously approved a Resolution approving the Planning Board's certification on December 2, 1991.

Enclosed herewith is a copy of the report of the Office of Planning and Zoning.

Arnold F. "Pat" Keller, III

AFK/JL/LW
PKH/ME/RT/TKLLF

Enclosure

CASE NO. R-92-241

PETITIONER:

Leroy M. Merritt

REQUESTED ACTION:

Reclassification from D.R. 3.5, D.R. 5.5, M.L.R., M.L.R.-I.M., and M.L. to a M.L.-I.M. zone

EXISTING ZONING:

D.R. 3.5 (13,938± acres)
D.R. 5.5 (14,716± acres)
M.L. (54,144± acres)
M.L.R. (7,44± acres)
M.L.R.-I.M. (0.184± acres)

LOCATION:

Rolling Road at the terminus of Tudbury Road.

SITE DESCRIPTION:

The subject 82.222 acre tract is partially developed as a flex-office development, comprised of one-story buildings, however, a large portion of the site remains undeveloped.

WATER AND SEWERAGE:

This tract is served by public water and sewer. The area in which the parcel is located is designated as a W-1, S-1 (existing service area) according to the Master Water and Sewer Plan.

TRAFFIC AND ROADS:

This property has direct access onto Rolling Road and is located within close proximity to the I-70/I-695 interchange, which ensures good regional accessibility.

PROPOSED VS. EXISTING ZONING:

Existing Zoning - Approximately 18 acres within this tract is zoned for density residential uses. The regulations governing D.R. zoning may be found in Section 1801 of the Baltimore County Zoning Regulations.

The M.L.R. zone is found in Section 248 of the Baltimore County Zoning Regulations. This zone permits grouping of high types of industrial plants. The zone also allows those uses permitted in the M.R. zone, except Helipad, Type II, which may be permitted only as a Special Exception.

Building height is limited to 60 ft., except that any building may exceed such height provided that at no point it projects above a line sloping inward and upward at a 45 degree angle from the 60 foot elevation at the required setback line. Building height is further restricted by the permitted floor area ratio which is 6.

Proposed Zoning - The M.L. zone permits a number of light manufacturing and office uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided these uses are located in a planned industrial park of at least 25 acres in net area or in an I.M. district. However, such uses are not permitted in cases where direct access to an arterial street exists.

Building height is unlimited, except on lots abutting a residence (D.R. or R.C.) or business zone (B.L., B.R., B.M.). In these cases, the maximum permitted height is 40 ft. or three (3) stories if any part of the building is within 100 ft. of the boundary line of a residence or business zone.

The area regulations in the M.L. zone are the same as those in a B.R. zone unless the property is within 100 ft. of a residential zone boundary, street, right-of-way, and existing or proposed interstate highway, freeway, expressway. In these cases, the setbacks shall be the same as required in the M.R. zone.

The I.M. district is found in Section 259.2H of the Baltimore County Zoning Regulations. This district may be applied only to certain areas individually containing 100 acres or more of land zoned for industrial or semi-industrial use (e.g., M.H., M.L. and M.L.R.), undivided by expressways or freeways. In I.M. districts, greater industrial use of prime industrial land is promoted by discouraging auxiliary retail commercial usage.

ZONING HISTORY:

Since 1980, the County has received requests to reclassify various portions of the subject property. In 1980, a request was filed to rezone 13.7 acres from D.R. 5.5 to D.R. 16. The existing D.R. 5.5 zoning was retained (see Issue No. 3-2). In 1984, two issues were filed on the property and the site was rezoned in part to M.L. and M.L.-I.M. (see Issue Nos. 2-25 and 2-60). This site is being reviewed as part of the 1992 Comprehensive Zoning Map Process. An issue has been filed to reclassify the property from D.R. 3.5, D.R. 5.5, M.L., M.L.R. and M.L.R.-I.M. to a M.L.-I.M. zone (see Issue No. 3-056).

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M., Industrial/Office (Rutherford Business Center, Windsor Corporate Park)

South: D.R. 3.5, D.R. 5.5, Single-family

East: M.L.-I.M., Industrial/Office (Rutherford Business Center)

West: D.R. 16, M.L.R., Multi-family dwellings and unimproved industrially zoned land.

MASTER PLAN:

The Western Sector Land Use Plan (p. 92) designates this site as Office/Industrial. According to the Master Plan, future development in office/industrial zones is expected to shift from low density manufacturing and warehouse uses into more intensive office and other service uses. The Master Plan also acknowledges the importance of providing "significant acreage for new office/industrial development" within the general area of the applicant's property.

RECOMMENDATION:

Located within the I-70 interstate quadrant, this site has good regional transportation accessibility. The proposed and existing industrial zoned areas are meant to provide significant county-wide service and employment opportunities. Development of major employment and service areas is encouraged where adequate existing or planned transportation and public utilities are available. The provision of design and performance standards to ensure compatibility with adjacent residential areas will be a critical aspect of this project.

At this time, Baltimore County and Baltimore City are vying for the relocation of the Health Care Financing Administration (H.C.F.A.) consolidation project. The Windsor Corporate Park site is an ideal location to facilitate the required high rise design needed to comply with the specifications outlined by H.C.F.A. Therefore, to ensure that this site meets all the specified requirements, the requested zoning change is necessary to accommodate this project. Based upon the analysis conducted and the information provided, staff recommends the Petitioner's request be granted.

R92/241/TKLLF

01:16:11 06 NOV 92

ENCLOSURE

ENCLOSURE

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: W. Carl Richards
Zoning Office

DATE: December 4, 1991

FROM: Kathleen C. Weidenhammer
County Board of Appeals

SUBJECT: Out-of-Cycle Exemption-
Reclassification Petition /
Windsor Corporate Park Property
(Health Care Financing Administration /
"HCFA")

Carl:

Regarding the subject out-of-cycle reclassification petition, attached is a copy of a letter received this date from the Baltimore County Council confirming approval of this matter for exemption from the regular cyclical process. Also attached is a copy of Resolution No. 91-91.

Pursuant to the appropriate section of the Baltimore County Code, we have scheduled this matter for hearing before the Board on Thursday, January 30, 1992 at 10:00 a.m. in the Board of Appeals hearing room. I have spoken with Gwen regarding advertising and appropriate notification of parties. Also, Rob Hoffman has informed me that he will contact you with regard to the filing of the Petition which will contain the information needed by Gwen.

Should you have any questions, please call me at extension 3180.

cc: Gwen Stephens

RECEIVED
DEC 5 1991
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director
Zoning Administration

DATE: December 20, 1991

Tony Haley, Deputy Director
Economic Development Commission

FROM: Windsor Corporate Park Zoning Change
(R-92-241, Item #261)

SUBJECT:

The Economic Development Commission (EDC) wishes to go on record in support of the above referenced, out-of-cycle, zoning change request filed by Leroy M. Merritt for the Windsor Corporate Park in Woodlawn.

This proposed zoning change is vital to the contract purchaser's bid for construction of the new Health Care Financing Administration (HCFA) headquarters. HCFA has been one of Baltimore County's major employers for the past thirty (30) years and is in the process of locating a site on which to consolidate its operations.

Overall, five (5) sites have been submitted for consideration by HCFA, one of which is located in downtown Baltimore. It is crucial that each site in the county be able to meet HCFA's facility requirements so as to assure the best chance of retaining the 3,300+ jobs associated with this agency.

The EDC will continue to work closely with HCFA, the land owner and contract purchaser to assure development at the site is in accordance with county regulations. Please do not hesitate to contact me should you have any concerns regarding this matter.

AJR:ts

c: Julie Winiarski

LEROY M. MERRITT

R-92-241
(Out-of-Cycle)

E/s Rolling Rd., oppos. Tudsbury
Rd. & N/s Dogwood Rd., E & W/s
proposed Lord Baltimore Dr. (2601
Rolling Rd., Windsor Corporate Park -
Health Care Financing Administration "HCFA")

D.R.5.5/D.R.3.5/MLR-IM and ML to ML-IM 84 ± acres

November 21, 1991 Planning Board Meeting wherein it was voted to certify to the County Council that early action upon the Petition for zoning reclassification of the Windsor Corporate Park property is manifestly required.

December 2 Petition approved by County Council.

December 16 Petition for Reclassification from D.R.5.5/D.R.3.5/MLR-IM and ML to ML-IM filed by John B. Howard, Esquire, Counsel for Petitioner, received by the Board of Appeals.

* John B. Howard, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

Counsel for Petitioner

Leroy M. Merritt
2606 Lord Baltimore Drive
Baltimore, Maryland 21207

Petitioner

Raul Garcia, Vice-President
Foulger Pratt Development, Inc.
1355 Piccard Drive, Suite 400
Rockville, Maryland 20850

Contract Purchaser

James Earl Kraft
Baltimore County Board of Education
940 York Road
Towson, Maryland 21204

Phyllis C. Friedman, Esquire
People's Counsel for Baltimore
County

P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration

LEROY M. MERRITT/WINDSOR CORPORATE PARK
(HEALTH CARE FINANCING ADMINISTRATION/
"HCFA"), E/s Rolling Rd. oppos.
Tudsbury Rd. & N/s Dogwood Rd.
E & W/s proposed Lord Baltimore Drive
(2601 Rolling Rd., Windsor Corporate
Park/Health Care Financing Admin. "HCFA")

R-92-241
2nd Election District
2nd Councilmanic District

D.R. 5.5 /D.R. 3.5 /M.L.R./M.L.R.-I.M. AND M.L. TO M.L.-I.M.

November 21, 1991 Planning Board Meeting wherein it was voted to certify to the County Council that early action upon the Petition for zoning reclassification of the Windsor Corporate Park property is manifestly required.

December 2 Petition approved by County Council.

December 16 Petition for Reclassification from D.R.5.5/D.R.3.5/MLR-IM and ML to ML-IM filed by John B. Howard, Esquire, Counsel for Petitioner, received by the Board of Appeals.

December 30 Revised Petition filed.

January 2, 1992 Publication in newspapers.

January 10 Certificate of Posting of property.

January 28 Planning Board Comments.

January 30 Hearing before the Board of Appeals.

February 28 Opinion and Order of the Board GRANTING the Petition for Reclassification to rezone the entire site to M.L.-I.M.

March 20 Order for Appeal filed in the Circuit Court for Baltimore County by Phyllis C. Friedman, People's Counsel for Baltimore County. Petition to accompany appeal also filed.

March 20 Certificate of Notice sent to interested parties.

April 16 Transcript of testimony filed; Record of Proceedings filed in the Circuit Court for Baltimore County.

March, 1999 Status of case was reviewed; last known filing was a Joint Motion to Stay Case in the CCT on 4/30/92 - County Council issue was pending and new maps were to be legislatively adopted, thus mooted the issues in this case.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits & Development Management

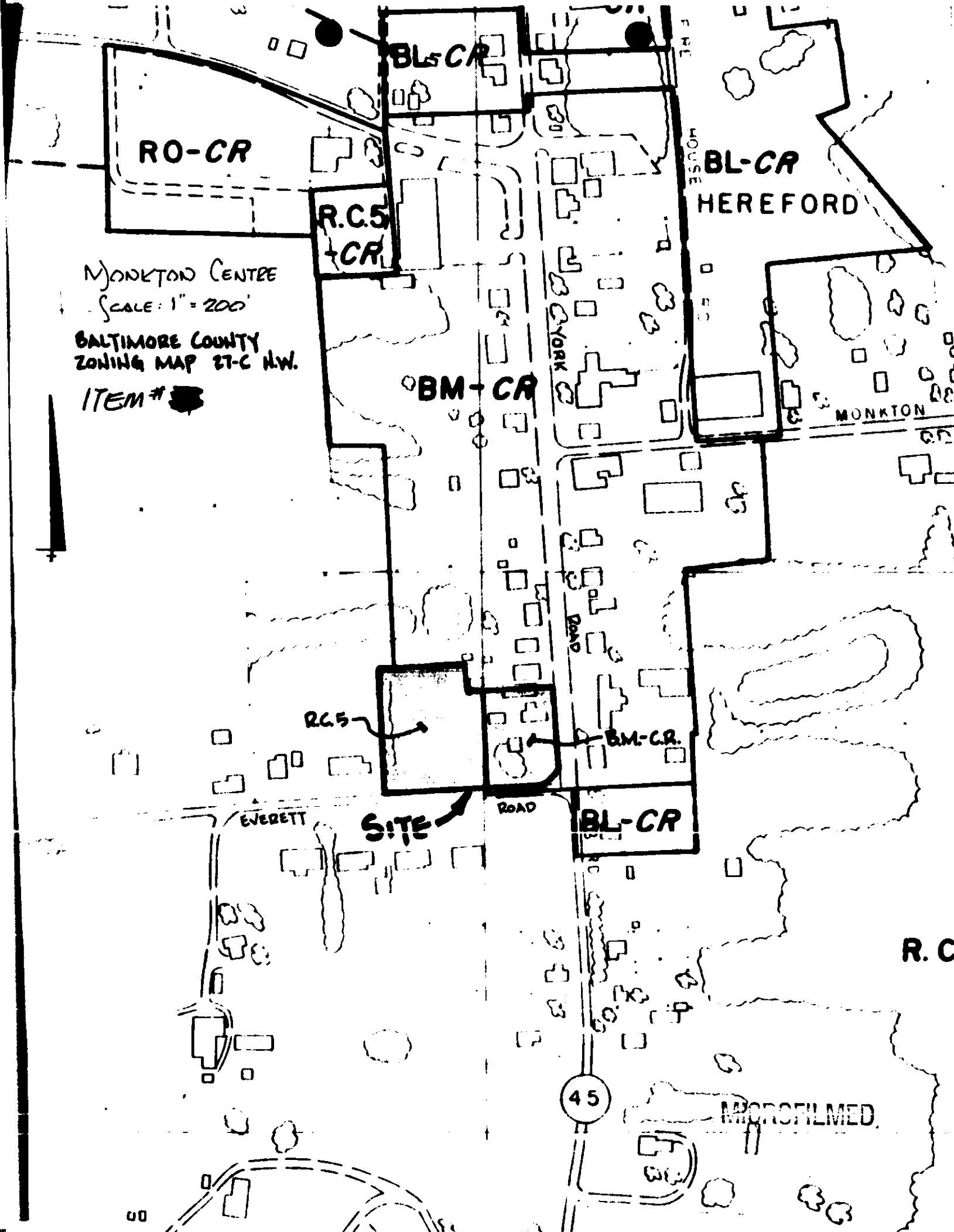
DATE: March 11, 1999

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed Files: Case Nos.
90-219-XA /Randall E. McMonigle (Randy's Landscaping)
92-346-XA /Leo J. Umerley, et ux
R-92-241 /Leroy M. Merritt (Windsor Corporate Park)

Since above captioned cases have been completed in the upper courts, we have closed the files and are returning same to you herewith.

Attachment (File Nos. 90-219-XA; 92-346-XA; and R-92-241)



VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5817
TOWSON, MARYLAND 21285-5817
(301) 822-4111
FAX (301) 821-0147

ROBERT A. HOFFMAN

December 13, 1991

William T. Hackett, Chairman
County Board of Appeals
for Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Out-of-Cycle Reclassification Redistricting Request
Windsor Corporate Park
2601 Rolling Road
Leroy M. Merritt, Petitioner

Dear Chairman Hackett:

This firm represents Leroy M. Merritt in the referenced out-of-cycle Petition for Reclassification. This reclassification request comes before the Board as an out-of-cycle reclassification, found to be in the public's interest by the County Council in order to better position the subject property as a potential development site for the Health Care Financing Administration ("HCFA") office project.

The subject property, comprising approximately 84 acres, is located at 2601 Rolling Road, and also borders Dogwood Road, west of I-695, in Baltimore County, Maryland. The subject property is part of the partially developed Windsor Corporate Park, an office-flex development composed of one-story buildings, and is currently several different zoning classifications including 7.62 acres of MLR, 2.12 acres of MLR-IM, 53.6 acres of ML, 4.04 acres of D.R. 3.5, and 16.97 acres of D.R. 5.5. The Petitioner respectfully submits that these classifications are in error and that the property should be rezoned to ML-IM in its entirety.

William T. Hackett, Chairman
December 13, 1991
Page 2

A review of the 200' and 1,000' scale Comprehensive Zoning Maps indicate that the ML-zoned property is immediately adjacent to a vast industrial tract zoned ML-IM. The use of that ML-IM property runs the gamut from large scale warehouse to medical office space and is known as the Rutherford Business Park. The subject site is also adjacent to vacant property owned by the Baltimore Gas & Electric Company. The small strips of MLR and MLR-IM are inappropriately zoned given the physical configurations they represent. These strips reduce the ability to develop the subject property in a manner consistent with the adjacent ML-IM classification where no rational basis for the strip zoning classifications can be identified. Also, not placing the IM district on the subject property is inconsistent with the surrounding zoning as well.

Likewise, the D.R. 3.5-zoned portion along Dogwood Road is inappropriately zoned for this particular four-acre tract. Residential development on this site is unsuitable and would not be consistent with the policies of the Baltimore County Zoning Regulations or the 1989-2000 Master Plan for promoting low density housing in suitable areas, because this small tract is bordered by the Windsor Corporate Park to the north, the proposed Lord Baltimore Drive to the east, and Dogwood Road, to the south. The D.R. 5.5-zoned property is equally unsuited for residential development because it borders Rolling Road to the west, the ML-zoned corporate park to the north and the proposed Tudsbury Road to the south. Such zoning classifications for these tracts can only be the result of mistake or error on the 1988 and previous Comprehensive Zoning Maps.

Therefore, for the reasons stated above and for such other and further reasons as may be presented at the public hearing, Petitioner respectfully request that the Board grant this Petition for zoning reclassification from MLR, MLR-IM, ML, D.R. 3.5, and D.R. 5.5 to ML-IM.

Yours truly,

Robert A. Hoffman

RAH/dok



Baltimore County, Maryland

PEOPLE'S COUNCIL
ROOM 304, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
887-2862/188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

January 30, 1992

The Honorable
William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 48, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Leroy M. Merritt, Petitioner
Zoning Case No. R-92-241
(out-of-cycle)

Dear Chairman Hackett:

It is the understanding of this office that the above-referenced petition for reclassification is in connection with a desire to submit a proposal to the Health Care Financing Administration ("HCFA") to locate an approximately 700,000 square foot office project.

I have reviewed the HCFA solicitation for offers and understand that although zoning would not be required for federal use, it is the desire of HCFA that all proposals include zoning.

This site is only one of several sites that will be presented to HCFA for its consideration. Not all of the sites are in Baltimore County and if HCFA would select a site outside of Baltimore County, it would represent a huge economic loss to the county. For this reason, this office believes that it is not in the public interest to oppose this request for reclassification. However, it is also the opinion of this office that the present zoning is not in error. Therefore, should this parcel not receive the HCFA award and should the Councilperson reinstate the existing zoning during the map process, this office would not consider that to be an error and wishes the record to so reflect this fact.

Respectfully submitted,

Phyllis Cole Friedman

Phyllis Cole Friedman
People's Counsel for Baltimore County

cc: John B. Howard, Esquire
The Hon. Melvin G. Mintz

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman DATE: January 28, 1992
Baltimore County Board of Appeals

FROM: Arnold F. "Pat" Keller, III
Deputy Director
Office of Planning & Zoning

SUBJECT: CASE NO. R92-241/LEROY M. MERRITT PROPERTY

At its regular monthly meeting on November 21, 1991, the Baltimore County Planning Board, voted in accordance with Section 2-356 (1) of the County Code, to certify to the County Council that early action upon the Petition for zoning reclassification of the Leroy M. Merritt Property is manifestly required.

The County Council unanimously approved a Resolution approving the Planning Board's certification on December 2, 1991.

Enclosed herewith is a copy of the report of the Office of Planning and Zoning.

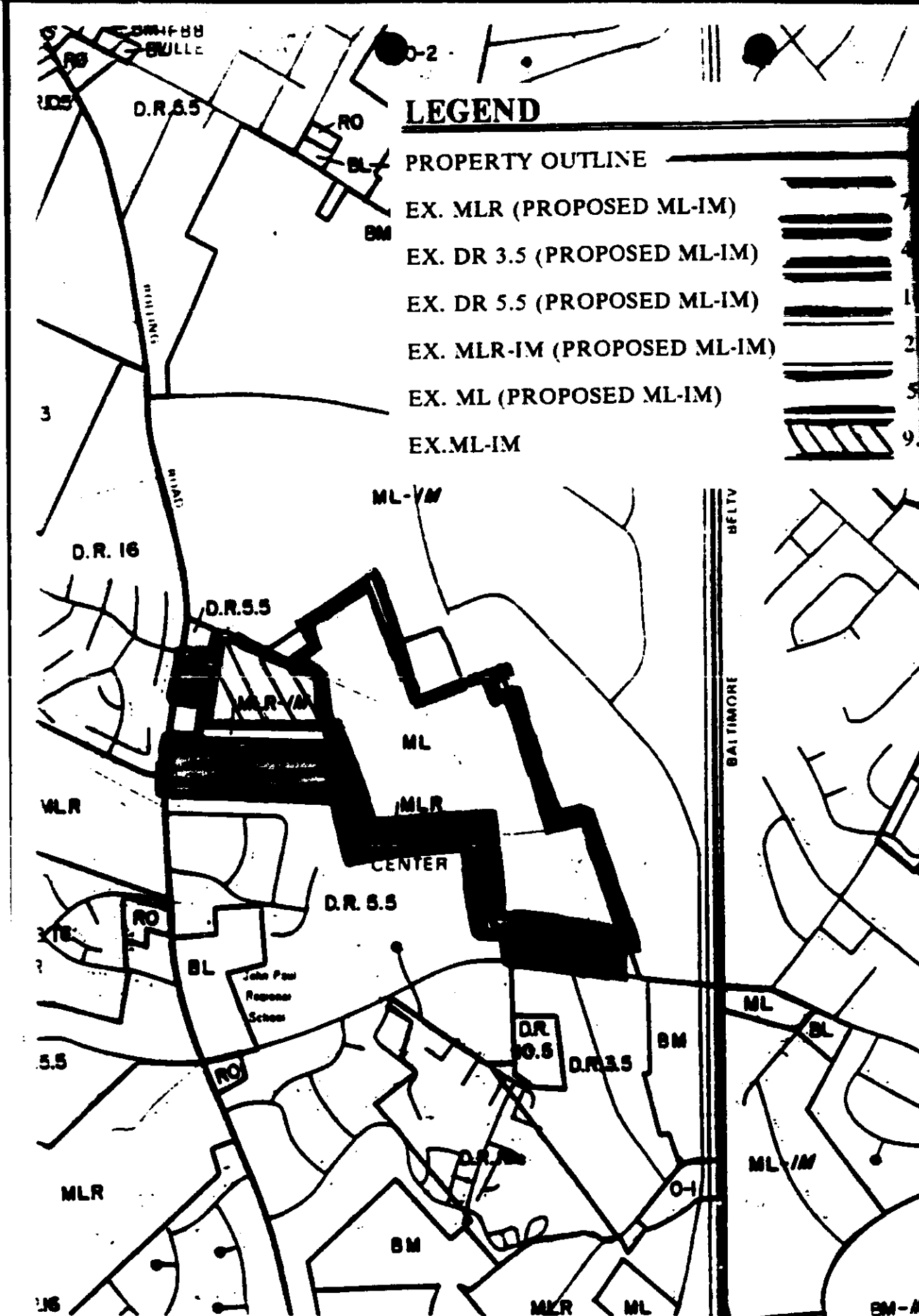
Arnold F. Keller, III
Arnold F. "Pat" Keller, III

AFK/JL/lw
PKMEMME.RT/XTLLF

Enclosure

01 15 11 62 11 26

MICROFILMED.



PART OF 1"=1000' BALTIMORE COUNTY ZONING MAP

Petitioner

ORIGINAL

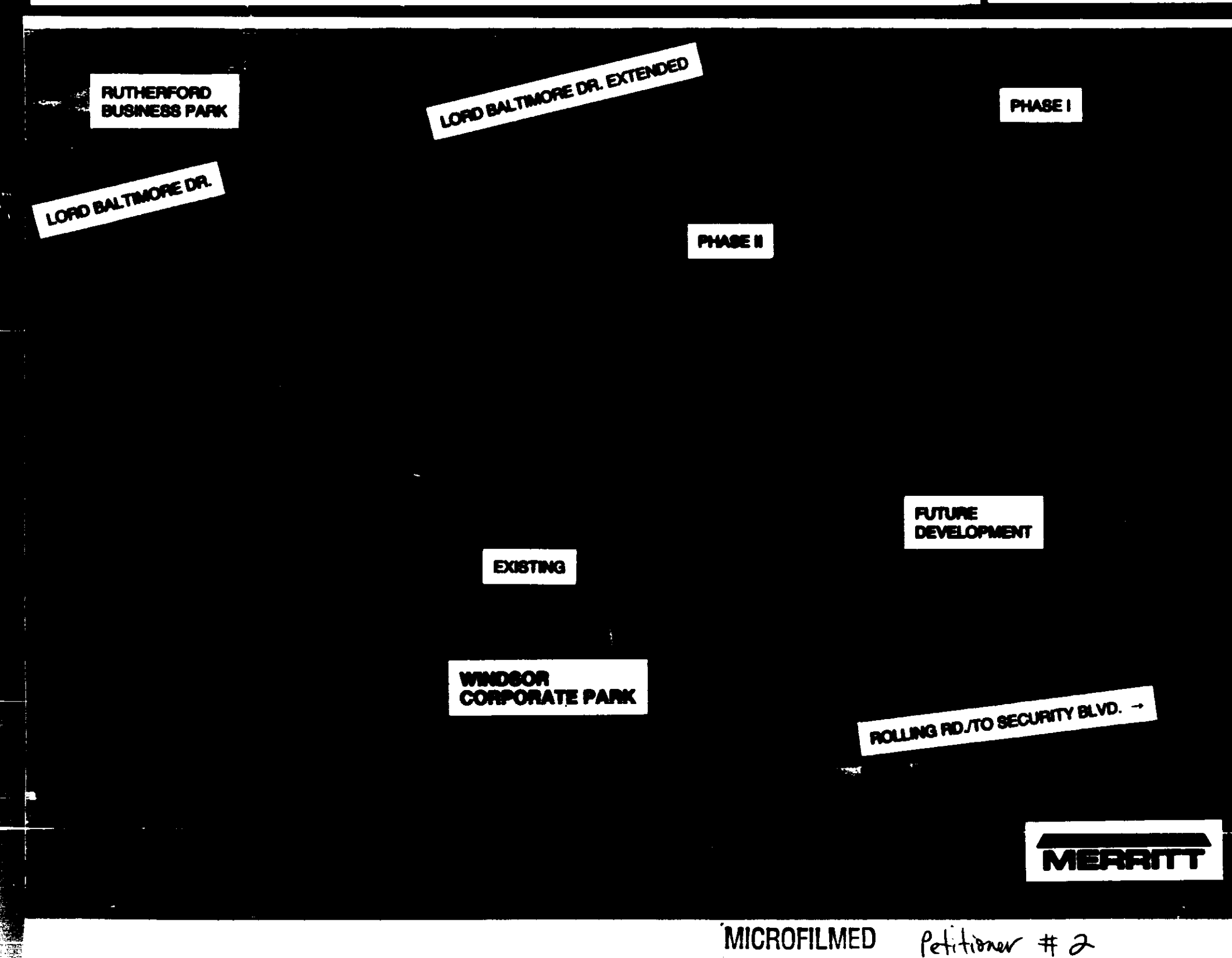
1 IN THE MATTER OF: * BEFORE THE
2 LEROY MERRITT * COUNTY BOARD OF APPEALS
3 (out-of-cycle) * OF BALTIMORE COUNTY
4 * Case No. R-92-241
5 * January 30, 1992
6 * * * * *

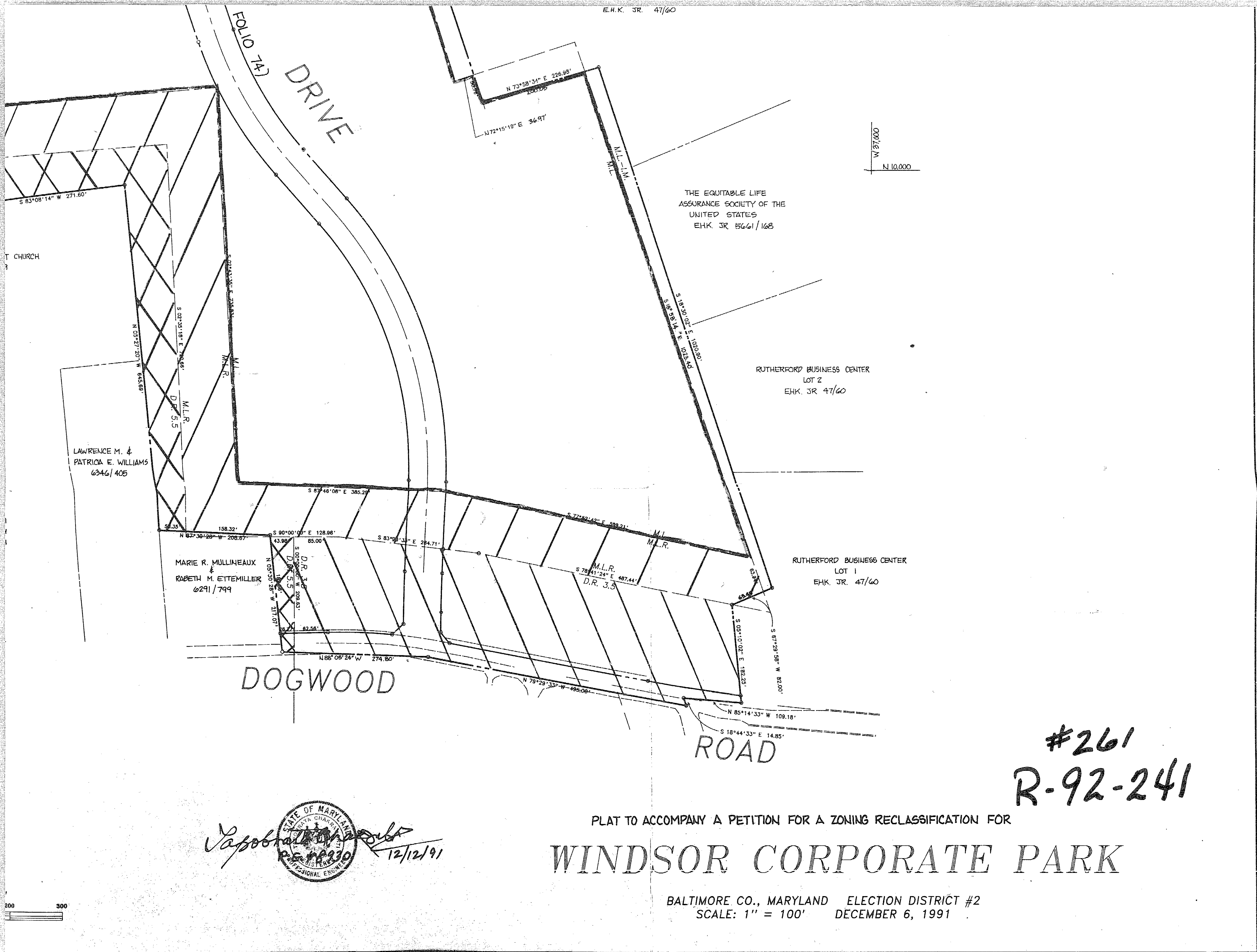
7 The above-mentioned matter came on for hearing
8 before the Baltimore County Board of Appeals at the Old
9 Courthouse, Towson, Maryland 21204 at 10 o'clock a.m.,
10 January 30, 1992.

11
12
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14
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16
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18
19
20 Reported by:
21 C.E. Peatt

MICROFILMED.

TOWSON REPORTING COMPANY, INC.





Capobianco
12/12/91



PLAT TO ACCOMPANY A PETITION FOR A ZONING RECLASSIFICATION FOR
WINDSOR CORPORATE PARK

BALTIMORE CO., MARYLAND ELECTION DISTRICT #2
SCALE: 1" = 100' DECEMBER 6, 1991

F I / 4

IN THE MATTER OF
THE APPLICATION OF
LEROY M. MERRITT
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 /D.R. 3.5 /M.L.R./
M.L.R.-I.M. AND M.L. TO M.L.-I.M.
ON PROPERTY LOCATED ON THE EAST
SIDE ROLLING ROAD OPPOSITE TUDSBURY
ROAD & NORTH/SIDE DOGWOOD ROAD,
EAST & WEST/SIDE PROPOSED LORD
BALTIMORE DRIVE (2601 ROLLING ROAD),
WINDSOR CORPORATE PARK /HEALTH CARE
FINANCING ADMINISTRATION /"HCFA")
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY, PLAINTIFF

ZONING CASE NO. R-92-241
PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND THE
BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, John G. Disney and Judson H.
Lipowitz, constituting the County Board of Appeals of Baltimore
County, and in answer to the Order for Appeal directed against them
in this case, herewith return the record of proceedings had in the
above-entitled matter, consisting of the following certified copies
or original papers on file in the Office of the Zoning Commissioner
and the Board of Appeals of Baltimore County:

No. R-92-241
November 21, 1991 Planning Board Meeting wherein it was voted to
certify to the County Council that early action
upon the Petition for zoning reclassification
of the Windsor Corporate Park property is
manifestly required.
December 2 Petition approved by County Council.
December 16 Petition for Reclassification from
D.R.5.5/D.R.3.5/MLR/MLR-IM and ML to ML-IM
filed by John B. Howard, Esquire, Counsel for
Petitioner, received by the Board of Appeals.
December 30 Revised Petition filed.

PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY,
Appellant
v.
LEROY M. MERRITT/WINDSOR
CORPORATE PARK,
Appellee

NOTICE OF APPEAL

Please note an appeal to the Circuit Court for Baltimore County from
the Opinion and Order of the County Board of Appeals under date of February
28, 1992, in the above-captioned matter.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 20th day of March, 1992, a copy of the
foregoing Notice of Appeal was served on the Administrative Assistant, County
Board of Appeals, Rm. 49, Courthouse, 400 Washington Ave., Towson, MD 21204;
and Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Ave.,
P. O. Box 5517, Towson, MD 21285-5517.

Phyllis Cole Friedman
Phyllis Cole Friedman

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 2
January 2, 1992 Publication in newspapers.
January 10 Certificate of Posting of property.
January 28 Planning Board Comments.
January 30 Hearing before the Board of Appeals.
February 28 Opinion and Order of the Board GRANTING the
Petition for Reclassification to rezone the
entire site to M.L.-I.M.

March 20 Order for Appeal filed in the Circuit Court
for Baltimore County by Phyllis C. Friedman,
People's Counsel for Baltimore County.
Petition to accompany appeal also filed.

March 20 Certificate of Notice sent to interested
parties.

April 16 Transcript of testimony filed.

Petitioner's Exhibit No. 1 -Site Plan
2 -Aerial photograph.
3 -1000' scale
4 -OPZ recommendation

People's Counsel Exhibit No. 1-People's Counsel letter dated
January 30, 1992

April 16, 1992 Record of Proceedings filed in the Circuit
Court for Baltimore County.

Record of Proceedings pursuant to which said Order was entered
and upon which said Board acted are hereby forwarded to the Court,
together with exhibits entered into evidence before the Board.

Respectfully submitted,
Linda Lee M. Kuszmaul
Linda Lee M. Kuszmaul, Legal Secretary
County Board of Appeals, Room 49, Old
Courthouse, 400 Washington Avenue
Towson, Maryland 21204 (301) 887-3180

cc: Phyllis C. Friedman
People's Counsel for Baltimore County
Robert A. Hoffman, Esquire
Mr. Leroy M. Merritt
Mr. Raul Garcia

PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY,
Appellant
v.
LEROY M. MERRITT/WINDSOR
CORPORATE PARK,
Appellee

PETITION ON APPEAL

People's Counsel for Baltimore County, Appellants herein, having
heretofore filed a Notice of Appeal from the Opinion and Order of the
County Board of Appeals under date of February 28, 1992, in compliance
with Maryland Rule B2.e., files this Petition on Appeal setting forth
the grounds upon which this Appeal is taken, viz:

1. That the premise for this reclassification was that it was being
considered by the U. S. General Services Administration as a site for the
headquarters of the Health Care Financing Administration. Based upon an
article in The Sun of March 4, 1992, this site has been eliminated from
consideration. Therefore, there is no longer any public interest in this
site.

2. That the record does not support the finding of error in the zoning
of this property by the County Council but instead, the Board of Appeals has
substituted its judgment for that of the Council.

WHEREFORE, Appellant prays that the Opinion and Order of the Board of
Appeals of Baltimore County under date of February 28, 1992 be reversed,
and the action of the County Council of Baltimore County in zoning the subject
property D.R. 3.5, D.R. 5.5, M.L.R., M.L.R.-I.M., and M.L. be affirmed and
reinstated.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

PEOPLE'S COUNSEL FOR
BALTIMORE COUNTY
Appellant
v.
LEROY M. MERRITT/WINDSOR
CORPORATE PARK
Appellee

ANSWER TO PETITION

Leroy M. Merritt, as the legal owner of Windsor Corporate
Park, Appellee, by John H. Zink, III and Robert A. Hoffman
with Venable, Baetjer and Howard, his attorneys, in accordance
with Maryland Rule B9 answers the Appellant's Petition filed
in these proceedings as follows:

1. The Appellee denies that the "premise" for the zoning
reclassification of the Appellee's property was consideration
of the site for development by a governmental agency as
alleged in the first paragraph of the Appellant's Petition.
2. The Appellee denies the Appellant's conclusions
stated in paragraph 2 of the Petition.
3. The zoning reclassification of the Appellant's
property was necessary and required by law as the result of
errors in the original classification.
4. The record of the proceedings before the County Board
of Appeals of Baltimore County substantially supports the
Opinion and Order of the Board dated February 28, 1992.

- 2 -

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 20th day of March, 1992, a copy of
the foregoing Petition on Appeal was served on the Administrative Assistant,
County Board of Appeals, Rm. 49, Courthouse, 400 Washington Ave., Towson,
MD 21204; and Robert A. Hoffman, Esquire, Venable, Baetjer and Howard,
210 Allegheny Ave., P. O. Box 5517, Towson, MD 21285-5517.

Phyllis Cole Friedman
Phyllis Cole Friedman

JOHN H. ZINK, III
ROBERT A. HOFFMAN
Venable, Baetjer and Howard
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21204
(410) 494-6200
Attorneys for Appellee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of APRIL
1992, a copy of the foregoing Answer to Petition was mailed
to: PHYLLIS C. FRIEDMAN, ESQUIRE and PETER MAX ZIMMERMAN,
ESQUIRE, People's Counsel for Baltimore County, Room 47,
Courthouse, 400 Washington Avenue, Towson, Maryland 21204, and
to: KATHLEEN C. WEIDENHAMMER, Administrative Assistant,
County Board of Appeals of Baltimore County, Room 49,
Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

JOHN H. ZINK, III

MERRITT:ANS

2

GSA pares list of HCFA sites to 3

2nd location dropped
in Baltimore County

By Timothy J. Mullane
Staff Writer THE SUN, 3-4-92

The U.S. General Services Administration has ruled out a second
Baltimore County site as the next
headquarters of the federal Health
Care Financing Administration, as
county officials and union leaders

gear up for a campaign to keep
HCFA and its 5,000 local jobs in
Woodlawn.
Officials from the county and Bal-
timore have staged a fierce battle for
the HCFA headquarters, with the
city trumpeting the agency's ability
to regenerate the west side of down-
town and the county pointing to how
HCFA workers support businesses
in Woodlawn. The agency runs Medi-
care and Medicaid programs.

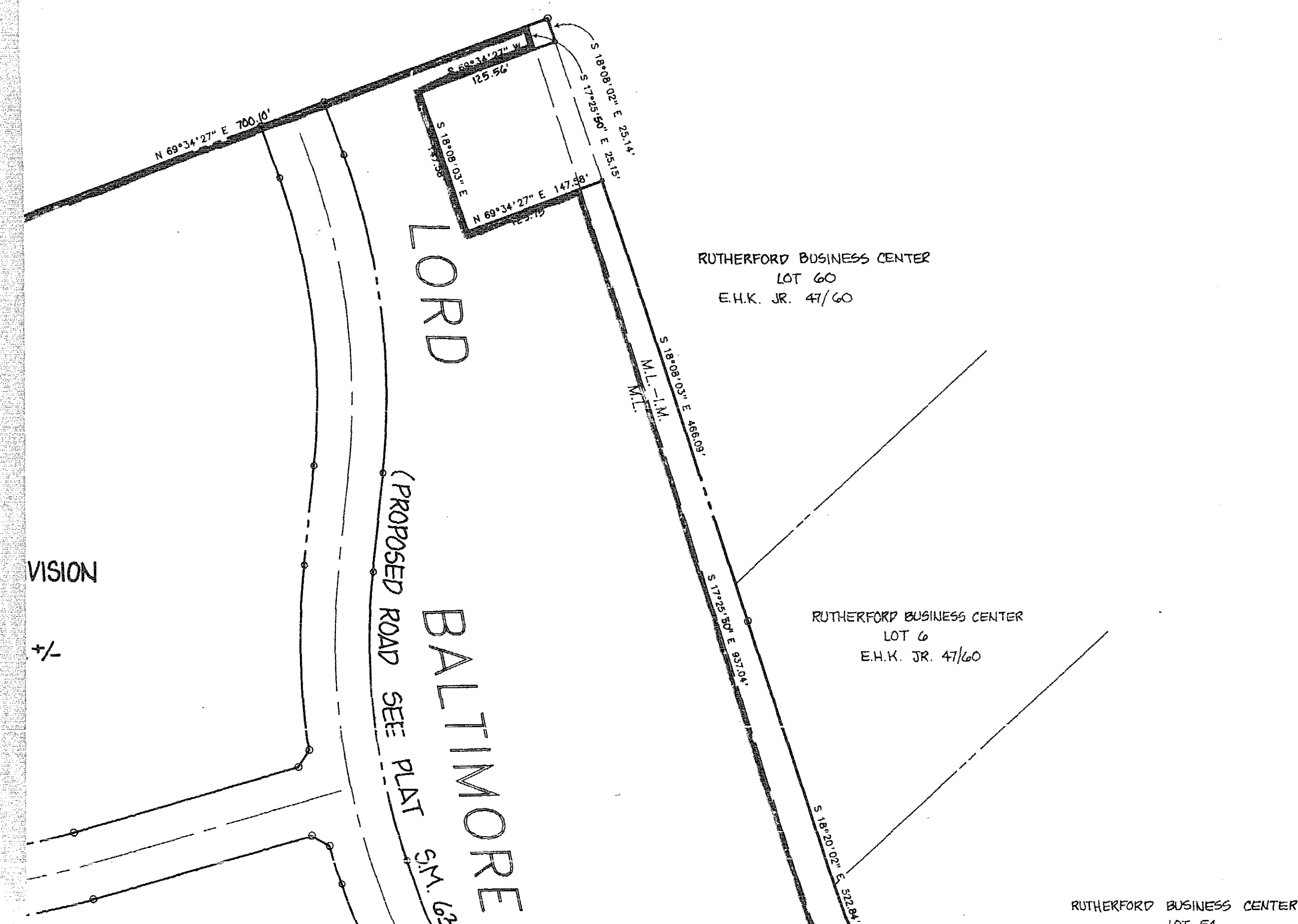
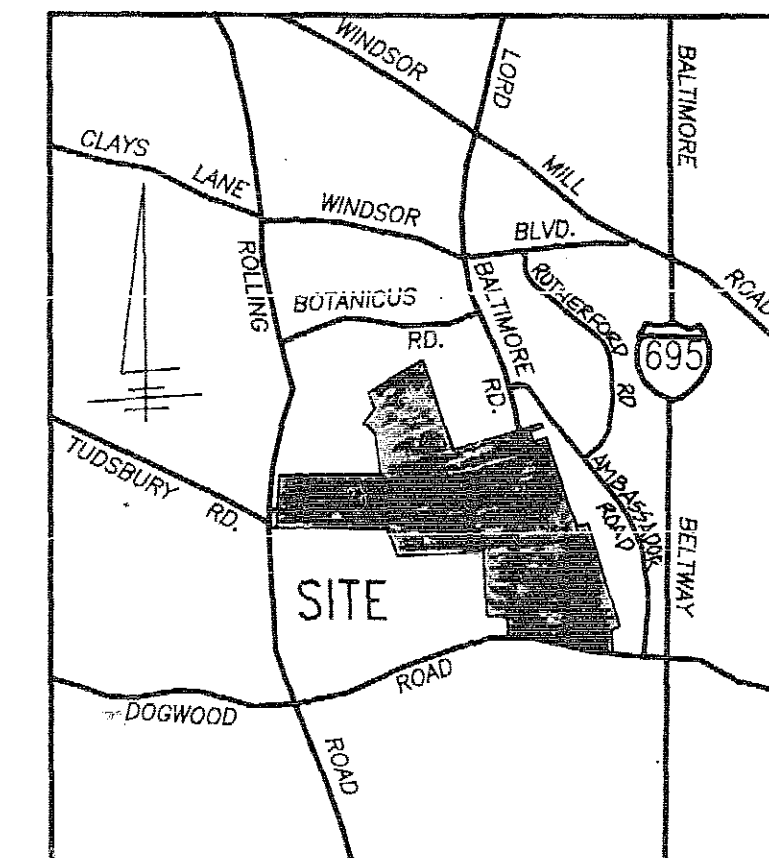
GSA has eliminated an 82-acre
site at Windsor Corporate Park in
Woodlawn.

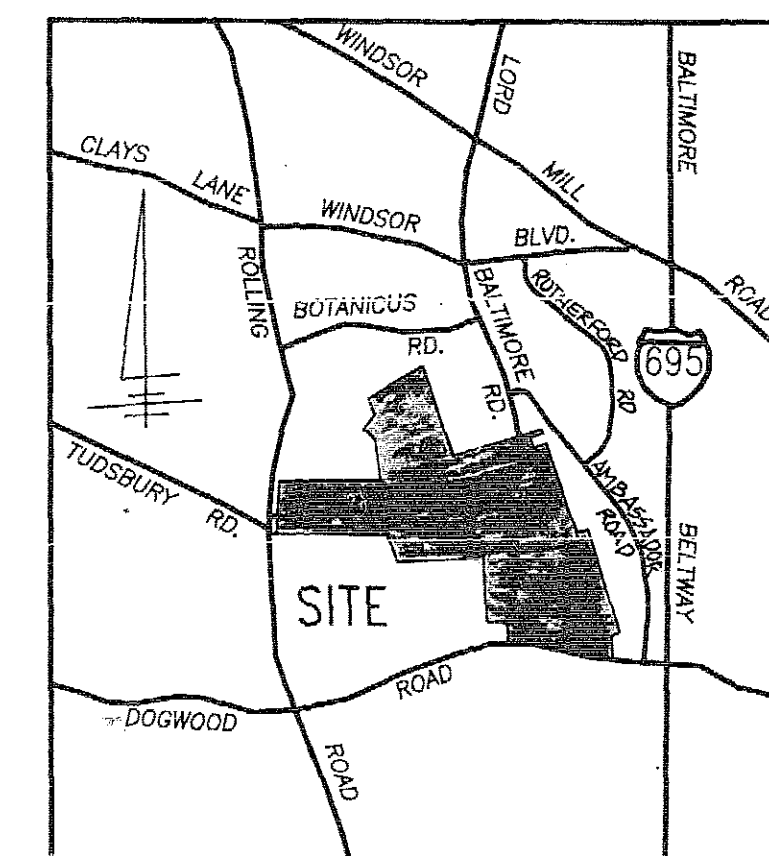
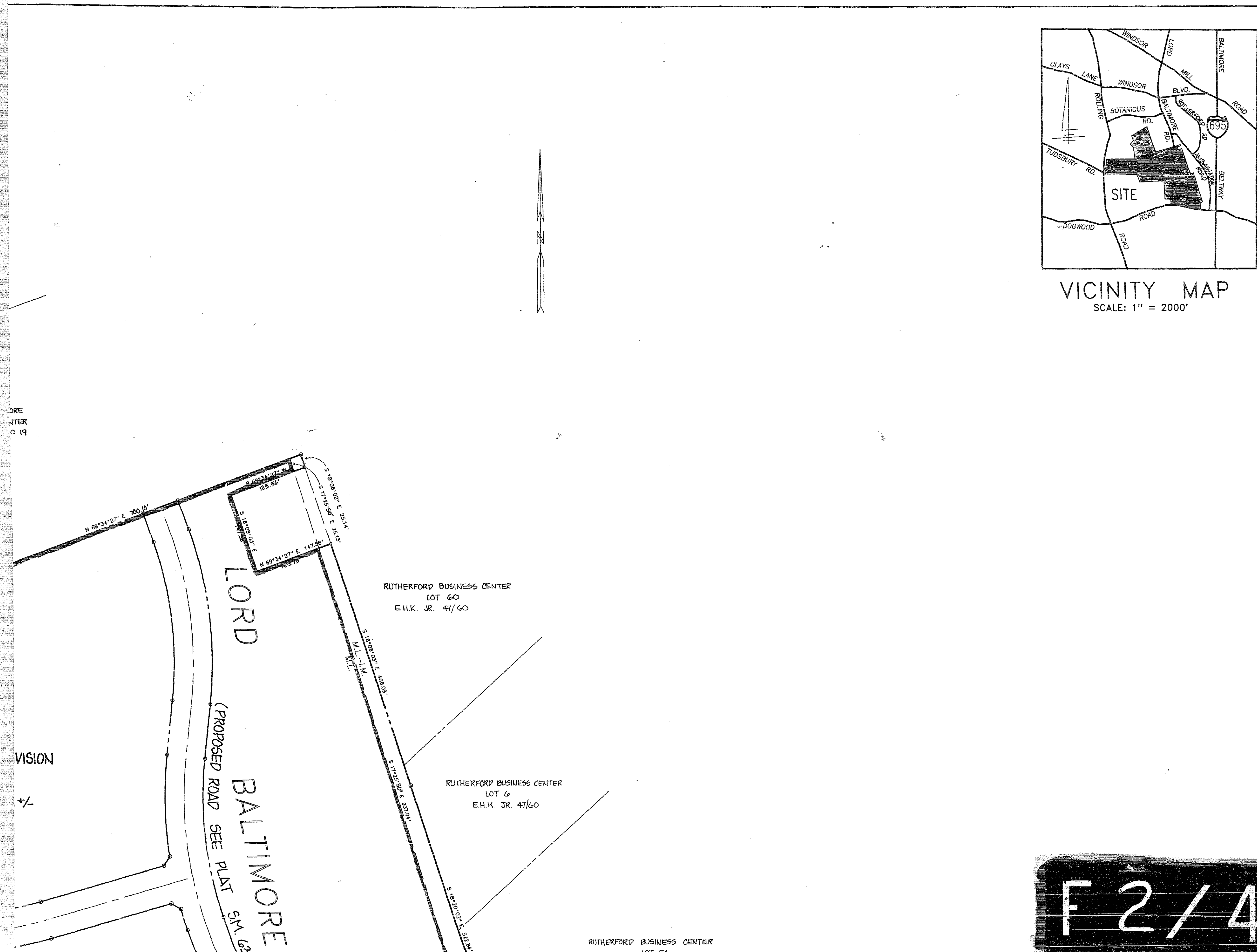
Woodlawn proposed by Foulger-Patt
Development/Construction Inc. of
Montgomery County and owned by
local developer Leroy Merritt, said
Anthony J. Haily, an aide to Ken-
neth C. Meade, the county economic
development director.

GSA had already eliminated the
only Owings Mills site in the run-
ning, 40 acres near Owings Mills
Mail.

That means the choices are down
to three, two in the county and one
in the city. The county is pushing a
95-acre site at Rolling Wind Center
in Woodlawn or a 24-acre site at
Rolling Heights Business Center in
Woodlawn.

The city is pushing a site near the
new baseball stadium.
County officials led by County Ex-
ecutive Roger B. Hayden and Rep.
Helen D. Bentley, R-Md.-Gen., are ex-
pected to announce today a coalition
between the union representing
HCFA's workers and county busi-
nesses to pressure GSA to keep the
agency in Woodlawn.



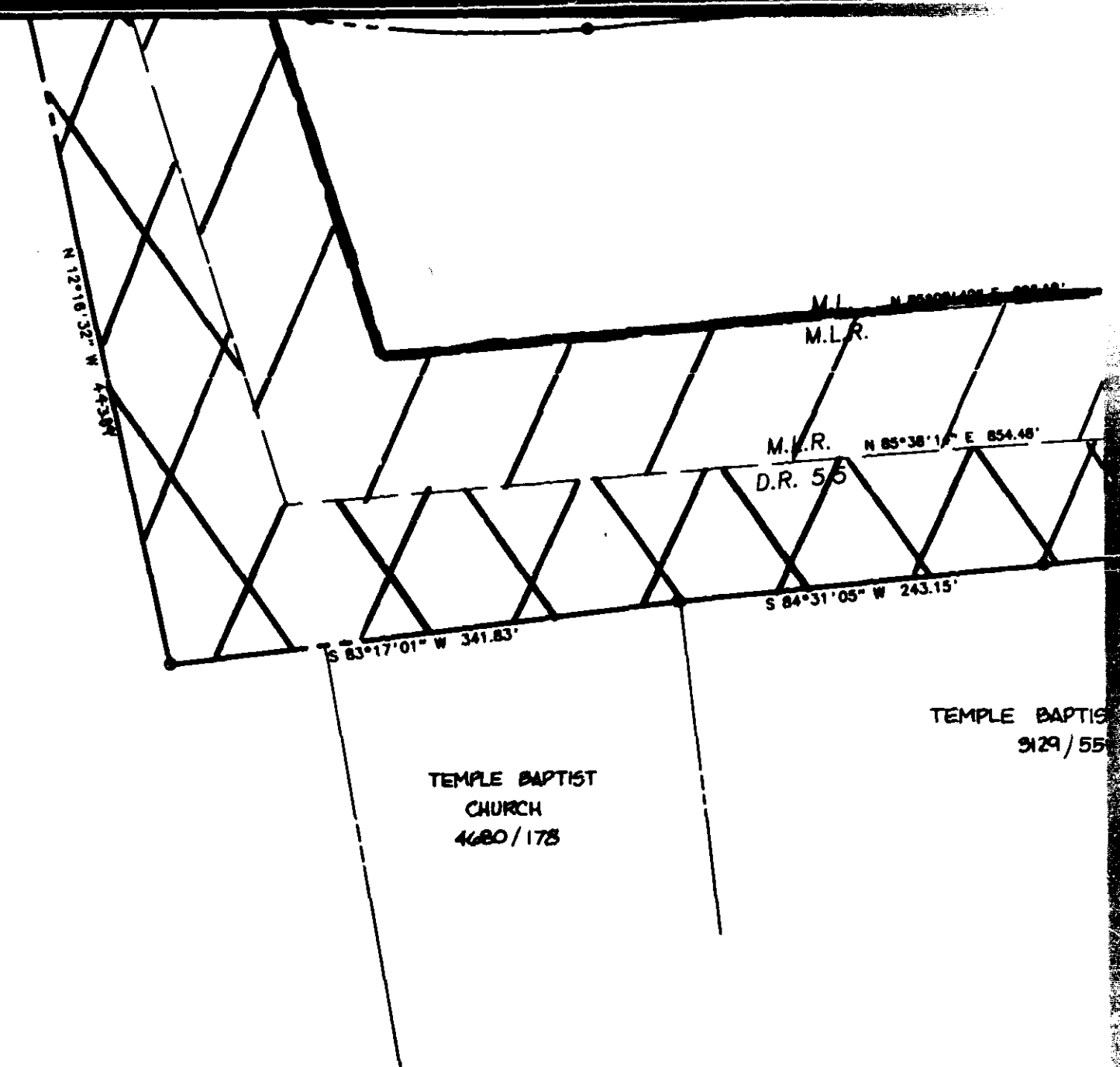


VICINITY MAP
SCALE: 1" = 2000'

F 2/4

FIRST AMENDED
PLAT ONE & TWO
WATERFORD PLACE
54/90, 54/91

N 10,000



ZONING AREAS

M.L.	54.144 AC. +/-
M.L.R.-I.M.	0.184 AC. +/-
D.R. 5.5	14.716 AC. +/-
M.L.R.	7.444 AC. +/-
D.R. 3.5	3.958 AC. +/-
TOTAL	80.426 AC. +/-

LEGEND

EXISTING MLR-IM		TO ML-IM
PROPOSED ML-IM		
EXISTING OR 5.5		TO ML-IM
PROPOSED ML-IM		
EXISTING MLR		TO ML-IM
PROPOSED ML-IM		
EXISTING ML		TO ML-IM
PROPOSED ML-IM		
EXISTING OR 3.5		TO ML-IM
PROPOSED ML-IM		

GW'S
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

MERRITT
2066 Lord Baltimore Drive
Baltimore, Maryland 21207
(301) 258-2500

Scale 1" = 100'

3/4

F 14

PT. 6% OF TUDSBURY ROAD
AND ROLLING ROAD
TUDSBURY
ROAD
ROLLING ROAD

WILLIAM V. WERTZ
6801/965

R=2255.85'
L=114.91'
CHD=14.00'00"E
4.81'

M.L.R.-I.M.
D.R. 6.5

M.L.-I.M.
M.L.R.-I.M.

LEROY M. MERRITT
7859/91

TUDSBURY

PROPOSED ROAD SEE PLAT

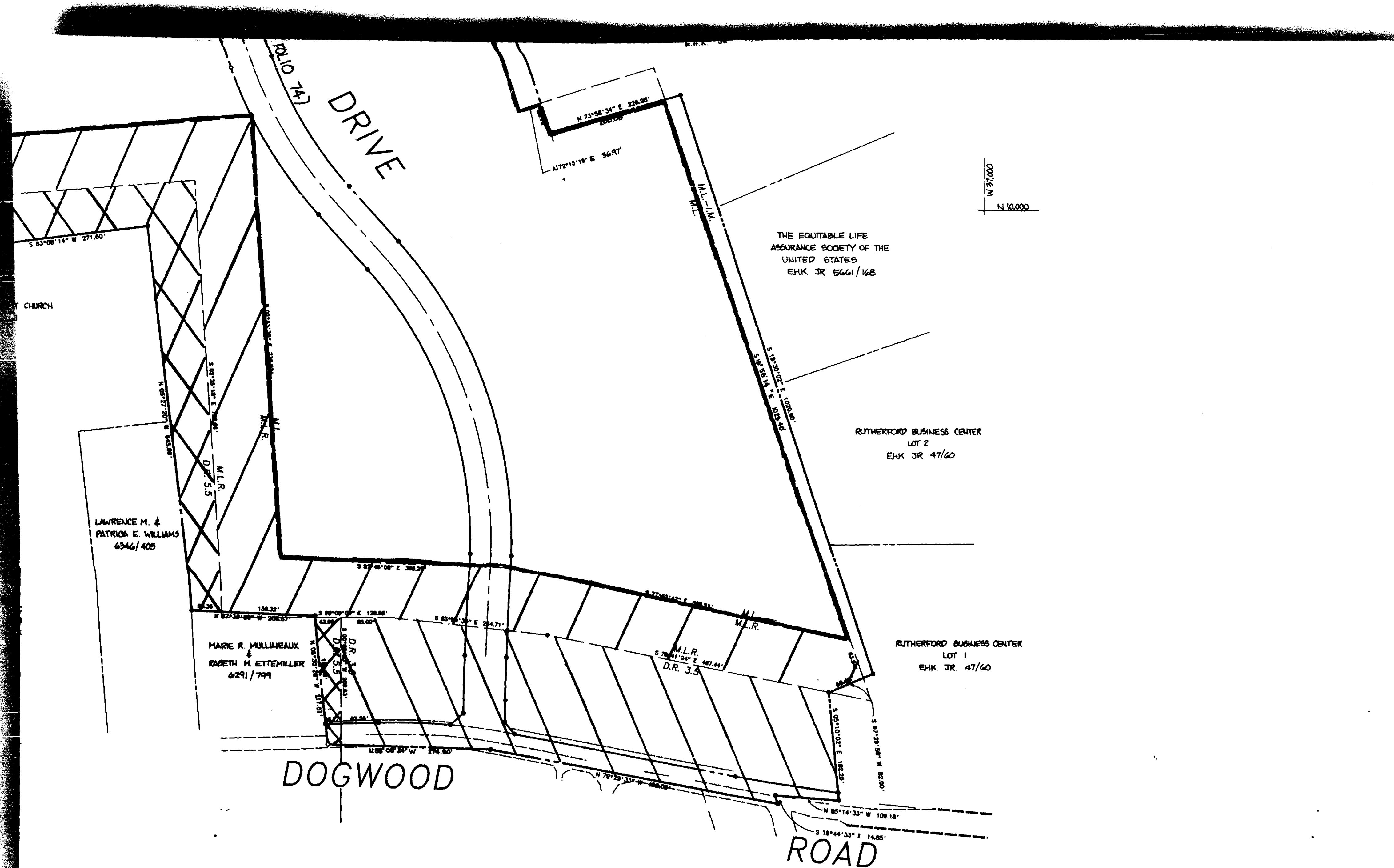
S.M. 63 FOLIO 75)

RUTHERFORD BUSINESS CENTER
LOT 30
E.H.K. JK. 48/48

LORD BALTIMORE
BUSINESS CENTER
S.M. 51, FOLIO

APPROVED SUBDI
TRACT
82.222Ac

ROAD



Japob...
12/12/91



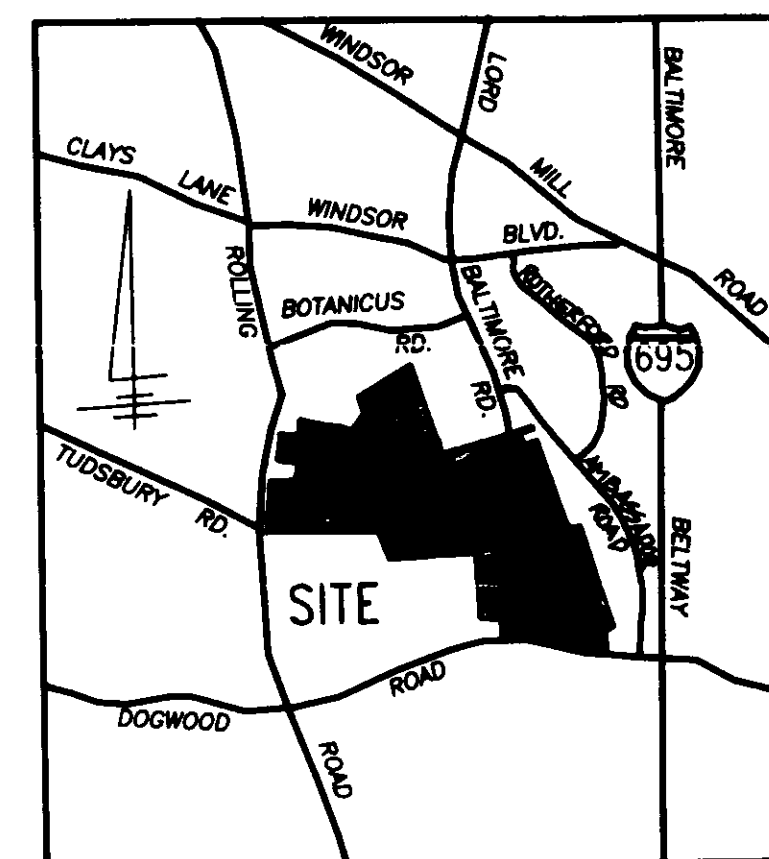
PLAT TO ACCOMPANY A PETITION FOR A ZONING RECLASSIFICATION FOR
WINDSOR CORPORATE PARK

MICROFILMED

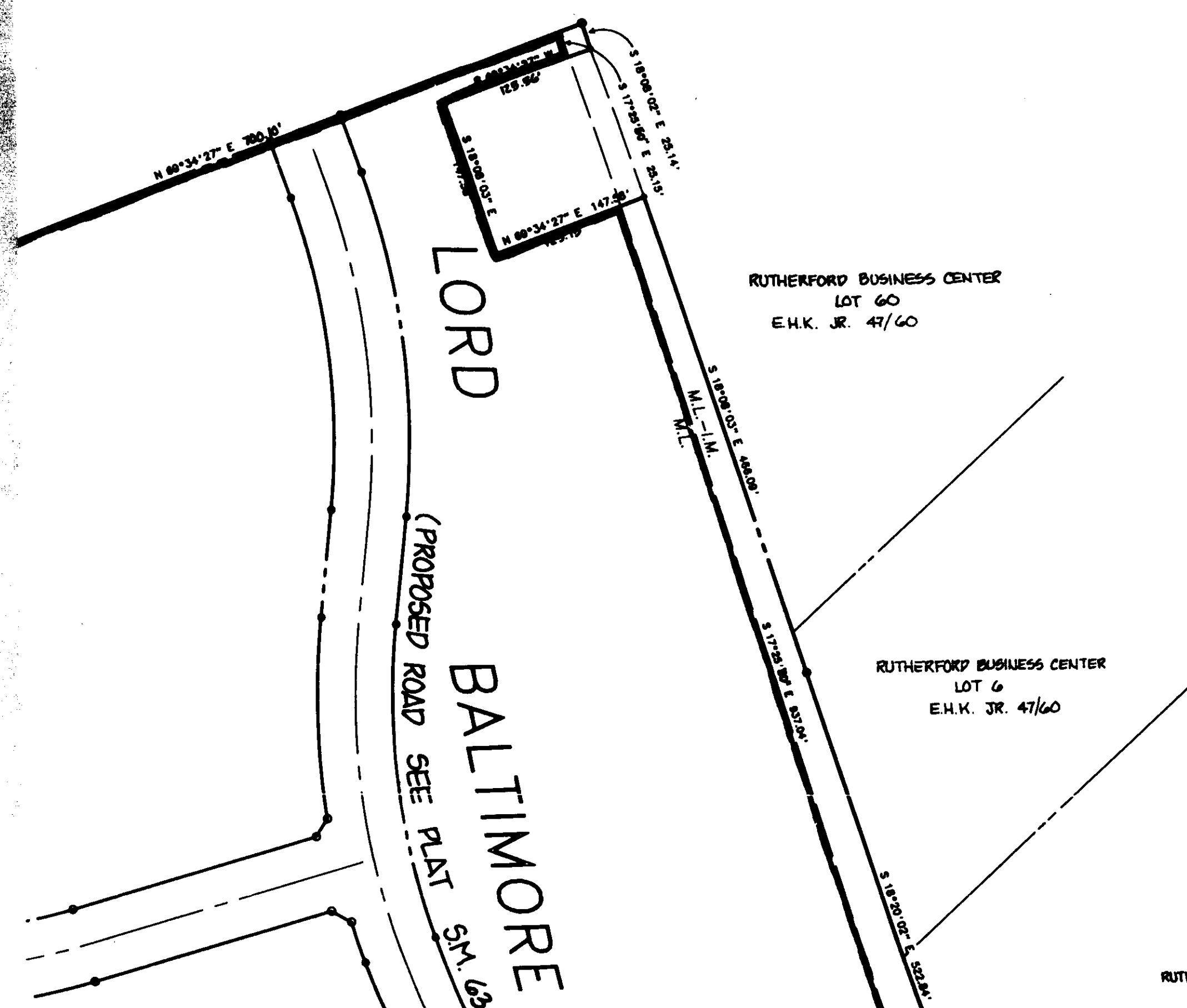
BALTIMORE CO., MARYLAND ELECTION DISTRICT #2
SCALE: 1" = 100' DECEMBER 6, 1991



Petition
Ex 1



VICINITY MAP
SCALE: 1" = 2000'



F 2 / 4

PO

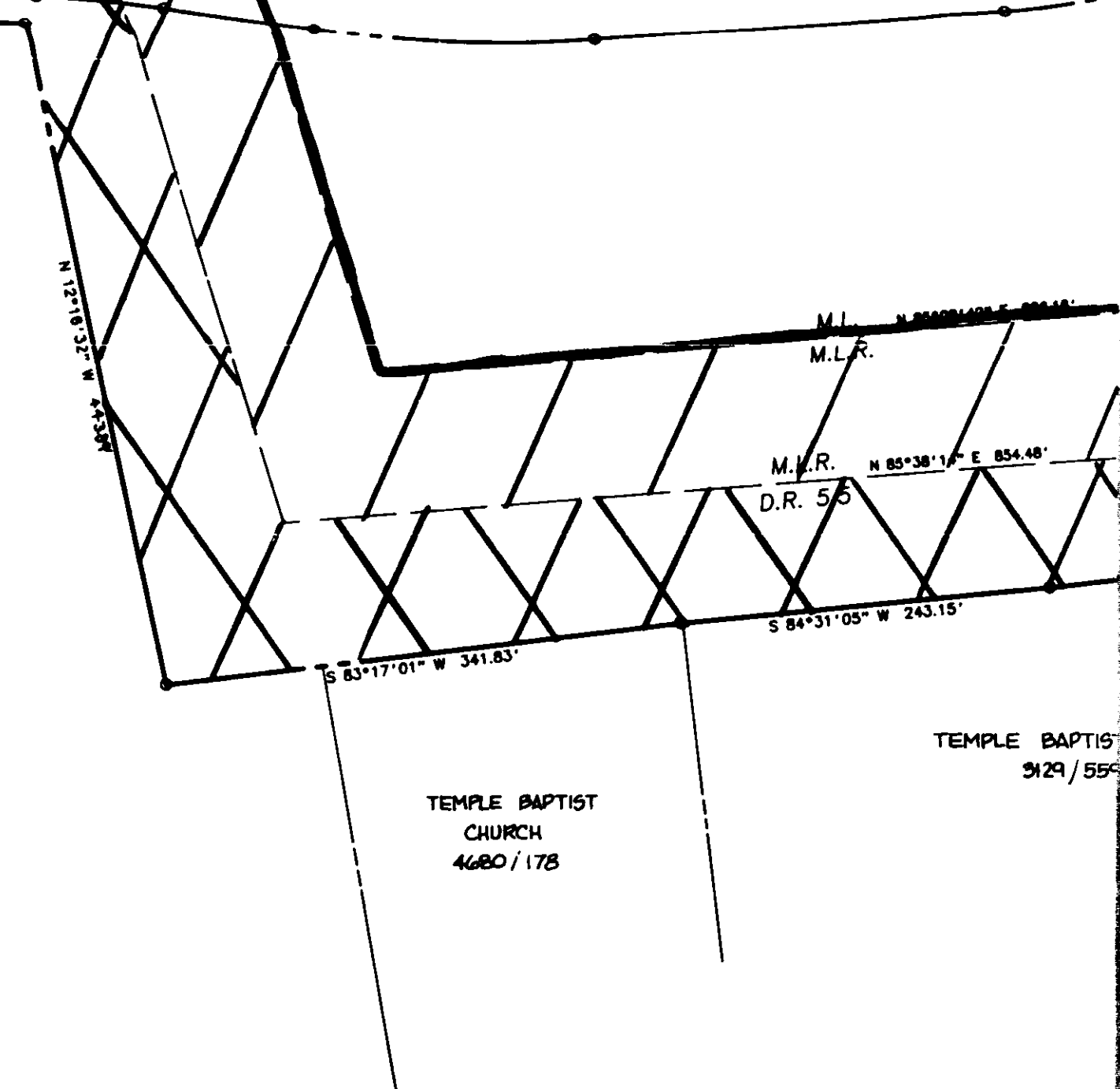
P.O.B. "1"

N 87°44'51" W 1210.94'

S 13°47'02"E 121.04'

FIRST AMENDED
PLAT ONE & TWO
WATERFORD PLACE
54/90, 54/91

N 10,000
W 39,500



ZONING AREAS

M.L.	54.144 AC. +/-
M.L.R. - I.M.	2.081 AC. +/-
D.R. 5.5	16.213 AC. +/-
M.L.R.	7.444 AC. +/-
D.R. 3.5	3.938 AC. +/-
TOTAL	83.820 AC. +/-

LEGEND

EXISTING MLR-IM		} TO ML-IM
PROPOSED ML-IM		
EXISTING DR 5.5		
PROPOSED ML-IM		
EXISTING MLR		
PROPOSED ML-IM		
EXISTING ML		
PROPOSED ML-IM		
EXISTING DR 3.5		
PROPOSED ML-IM		



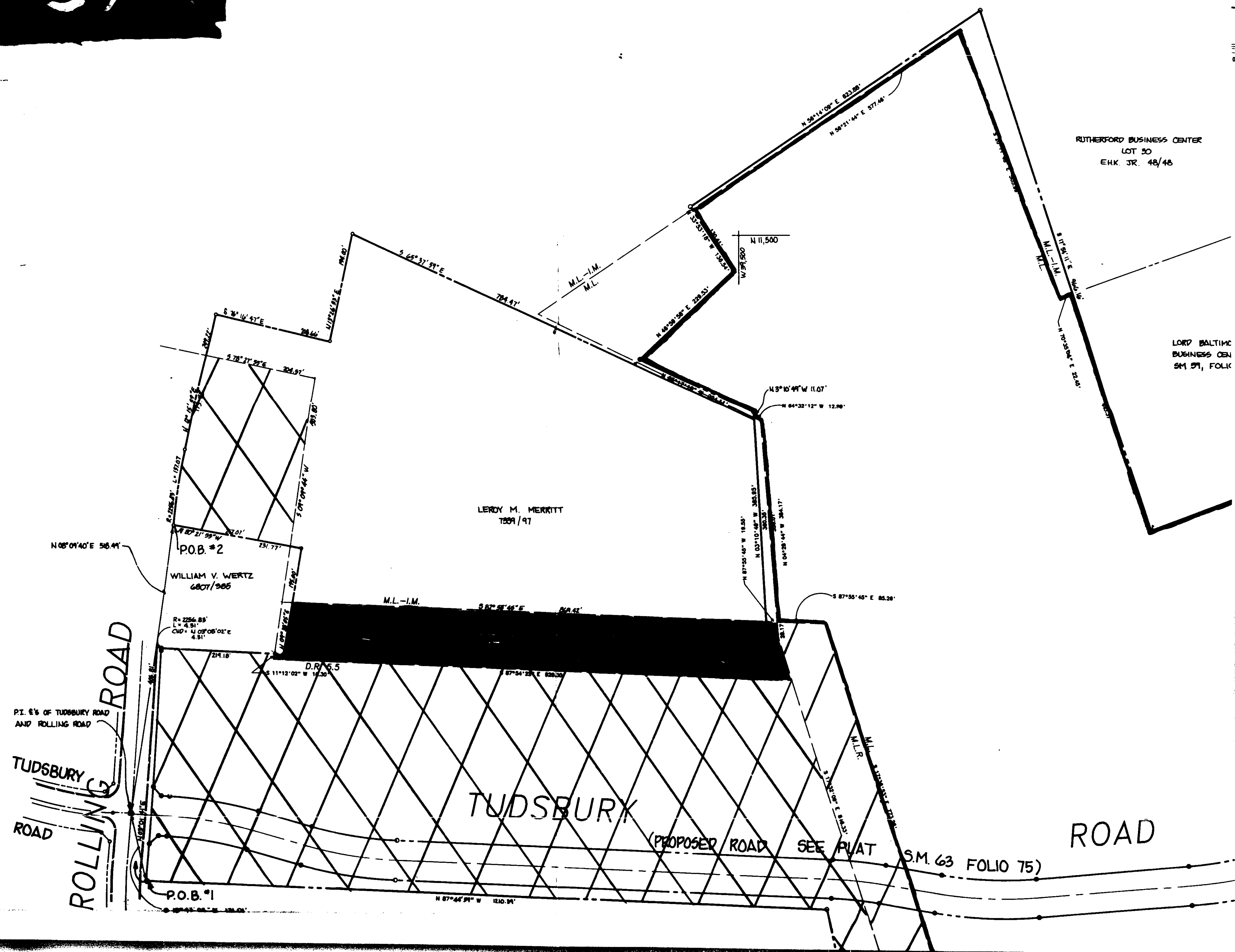
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

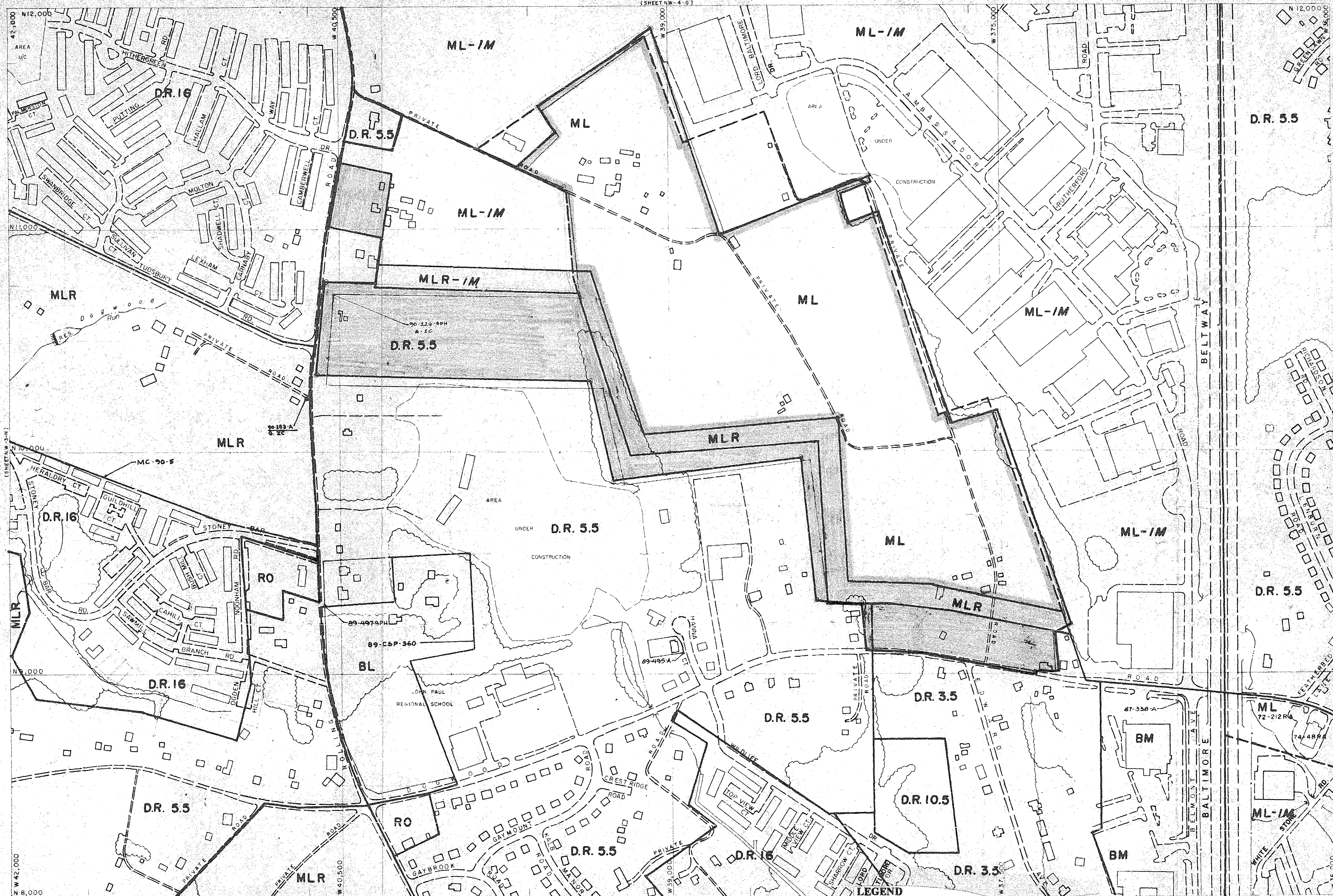
OWNER / DEVELOPER
MERRITT
2066 Lord Baltimore Drive
Baltimore, Maryland 21207
(301) 298-2800

F 3 / 4

Scale 1" = 100
-100 -50 0 100

F 3/4





LEGEND

PROPERTY OUTLINE	AREA
EX. MLR (PROPOSED ML-IM)	7.444 Ac. +/-
EX. DR 3.5 (PROPOSED ML-IM)	3.938 Ac. +/-
EX. DR 5.5 (PROPOSED ML-IM)	16.213 Ac. +/-
EX. MLR-IM (PROPOSED ML-IM)	2.081 Ac. +/-
EX. ML (PROPOSED ML-IM)	54.144 Ac. +/-

SCALE	LOCATION	SHEET
1" = 200' ±	BELMONT AREA	N.W. 3-G

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Dec. 13, 1988
Bill Nos. 144-88, 145-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

R-92-241
REVISED PLANS
RECEIVED DEC. 2, 1991

MICROFILMED

IN THE MATTER OF
THE APPLICATION OF
LEROY M. MERRITT
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 /D.R. 3.5 /M.L.R./
M.L.R.-I.M. AND M.L. TO M.L.-I.M.
ON PROPERTY LOCATED ON THE EAST
SIDE ROLLING ROAD OPPOSITE TUDSBURY
ROAD & NORTH/SIDE DOGWOOD ROAD,
EAST & WEST/SIDE PROPOSED LORD
BALTIMORE DRIVE (2601 ROLLING ROAD,
WINDSOR CORPORATE PARK /HEALTH CARE
FINANCING ADMINISTRATION /"HCFA")
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
PEOPLE'S COUNSEL FOR BALTIMORE
COUNTY, PLAINTIFF
ZONING CASE NO. R-92-241

CERTIFICATE OF NOTICE
Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, John G. Disney, and Judson H. Lipowitz, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Phyllis C. Friedman, People's Counsel for Baltimore County, Room 47, Old Courthouse, 400 Washington Avenue, Towson, Maryland, 21204, Plaintiff; Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for Defendant; Mr. Leroy M. Merritt, 2066 Lord Baltimore Drive, Baltimore, Maryland 21207, Defendant; Raul Garcia, Vice-President, Foulger Pratt Development, Inc. 1355 Piccard Drive, Suite 400, Rockville, Maryland 20850, Contract Purchaser; and Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49, Basement, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, a copy

IN THE MATTER OF
THE APPLICATION OF
LEROY M. MERRITT
FOR A ZONING RECLASSIFICATION
FROM D.R. 5.5 /D.R. 3.5 /M.L.R./
M.L.R.-I.M. AND M.L. TO M.L.-I.M.
ON PROPERTY LOCATED ON THE EAST
SIDE ROLLING ROAD OPPOSITE TUDSBURY
ROAD & NORTH/SIDE DOGWOOD ROAD,
EAST & WEST/SIDE PROPOSED LORD
BALTIMORE DRIVE (2601 ROLLING ROAD,
WINDSOR CORPORATE PARK /HEALTH CARE
FINANCING ADMINISTRATION /"HCFA")
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

OPINION
This case comes before this Board on an out-of-cycle reclassification petition. The case was heard this day in its entirety.
This case is of a somewhat unusual nature and merits special consideration by this Board. General Services Administration representatives (hereinafter "GSA") have indicated to Baltimore County officials their desire to purchase a substantial parcel of land upon which they intend to erect an 800,000+ square-foot office building and 3,000+ parking spaces to service the same. Their main concern, as far as any site consideration, is that the property be free and clear of any restrictions and ready for the submission of building permits. All of Baltimore County is desirous of seeing this project come to fruition, not only for the tremendous increase in tax base to the County but also for the many, many new job opportunities it will make available. The County Executive wants this project to proceed, the Planning Office emphatically supports it, the County Council unanimously agreed to the out-of-cycle reclassification petition so that the project could proceed, and it

MICROFILMED

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 2
of which Notice is attached hereto and prayed that it may be made a part hereof.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Phyllis C. Friedman, People's Counsel for Baltimore County, Room 47, Old Courthouse, 400 Washington Avenue, Towson, Maryland, 21204, Plaintiff; Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for Defendant; Mr. Leroy M. Merritt, 2066 Lord Baltimore Drive, Baltimore, Maryland 21207, Defendant; Raul Garcia, Vice-President, Foulger Pratt Development, Inc. 1355 Piccard Drive, Suite 400, Rockville, Maryland 20850, Contract Purchaser; and Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49, Basement, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on this 20th day of March, 1992.

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul, Legal Secretary,
County Board of Appeals, Room 49, Old
Courthouse, 400 Washington Avenue,
Towson, Maryland 21204 (410) 887-3180

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 20, 1992

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

Re: Case No. R-92-241 (Leroy M. Merritt/Windsor Corporate Park)

Dear Mr. Hoffman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

cc: Mr. Leroy M. Merritt
Mr. Raul Garcia
Mr. James Earl Kraft
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 20, 1992

Phyllis C. Friedman
People's Counsel for Baltimore County
Room 304, County Office Building
Towson, Maryland 21204

Re: Case No. R-92-241 (Leroy M. Merritt/Windsor Corporate Park)

Dear Ms. Friedman:

In accordance with Rule B-7(a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you file in Court, in accordance with Rule B-7(a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 2
would appear that everyone in Baltimore County will benefit if the proposal is completed. All of these factors must be considered by this Board, but the Board is constrained to grant a reclassification only if the existing classification is in error.

Testimony in favor of this proposal was received from five witnesses. Opposition to the reclassification from People's Counsel was not actively pursued, but People's Counsel emphasized that in their estimation the strict finding of error in the existing classification was not justified.

Anthony J. Halsey, Deputy Director of Economic Development for Baltimore County, testified that he is familiar with this site, and this site has ideal potential for the erection of the Health Care Financing Administration complex (hereinafter "HCFA"). He testified that this site has been submitted to the GSA, and they would be the contract purchaser. Their requirement that all zoning matters be settled and that the parcel be ripe for building permits requires the reclassification and the redistricting of the abutting parcels of non-M.L.-I.M. zoning. He further testified that the GSA will award the contract for the final site some time this summer.

Gary James Swatko, who is the site designer and developer for the property owner, described at length the site location and introduced Petitioner's Exhibit No. 1 which shows the zoning reclassification requests. He noted, for the Board's education, that if the residential zoning that exists in strips on the edges is maintained restrictions would be imposed on the site that would make it unsuitable. It was his opinion that the County Council was in error on the 1988 maps not to zone the entire property one zone

MICROFILMED

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 3
or the other, rather than the hodgepodge of zoning that now exists.

Wesley Guckert, Traffic Engineer, testified that there are no deficient intersections in this area, that the change in traffic density from the proposed zoning would be insignificant, and that the zoning as exists is in error because what it would do would be to force all the M.L. traffic through the residential areas. If the rezoning is granted, the proposed Tudsbury Road would service the complex and would avoid all the residential areas.

William Walker was the last to testify. Mr. Walker is a land planner and real estate consultant. It was his opinion that the present zoning is in error, that directly abutting the entire site on the east is 100 acres of M.L. with I.M. zoning, and specifically stated his reasons why the residential zoning abutting this site was in error. He also noted that the proposed use was approved as far as the Master Plan for Baltimore County recommendations. This concluded the direct testimony in this case.

The Board is of the opinion that the zoning as it presently exists is in fact in error. A careful study of Petitioner's Exhibit No. 1 shows little narrow strips of various zoning on two sides of the site. To the south there is a parcel of D.R. 3.5. This parcel of D.R. 3.5 abuts a narrow parcel of M.L.R., and this appears to be in error as regarding the transition from industrial to light density residential. This very thin M.L.R. parcel which totals 7+ acres abuts three sides of the main parcel and has virtually no obvious use. The western side of the site has a parcel of D.R. 5.5 of some 16 acres. This parcel as zoned for residential use in the proximity of all the industrial uses is in

Case No. R-92-241 Leroy M. Merritt /Windsor Corp. Park 4
the opinion of this Board in error. The main portion of the site is already zoned M.L. and contains some 55 acres. It is abutted on the east in its entirety by an M.L.-I.M. zone containing 100 acres. The logical use of this property dictates that this M.L.-I.M. zone be extended to encompass the entire site. For all these reasons, the Board finds as a fact that the present zoning is in error and that the zoning as petitioned for should be granted, and will so order.

ORDER

IT IS THEREFORE this 28th day of February, 1992 by the County Board of Appeals of Baltimore County ORDERED that the zoning for the entire site of some 84+/- acres as petitioned for be and the same is GRANTED; and that the entire site be rezoned to M.L.-I.M.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Judson H. Lipowitz
Judson H. Lipowitz

John G. Disney
John G. Disney



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 318
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

February 28, 1992

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, MD 21285-5517

RE: Case No. R-92-241
Leroy M. Merritt /
Windsor Corp. Park

Dear Mr. Hoffman:

Enclosed please find a copy of the final Opinion and Order
issued this date by the County Board of Appeals of Baltimore County
in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: John B. Howard, Esquire
Mr. Leroy M. Merritt
Raul Garcia, Vice President
Foulger Pratt Development, Inc.
Mr. James Earl Kraft
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotzko
Zoning Supervisor
W. Carl Richards, Jr.
Pocket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

RECEIVED
MAY 2 1992
ZONING OFFICE

MICROFILMED

Description To Accompany Petition For
Zoning Reclassification
Windsor Corporate Park

R-92-241
REVISED PLANS
RECEIVED DEC 23 1991

Beginning for the first at a point located S 13° 47' 02" E 121.01 feet
from the centerline P.I. intersection of Rolling Road and Tudsbury Road,
running thence in a clockwise direction the following:

1. N 03° 01' 41" E 405.81 feet
2. Radius = 2256.83 feet, Length = 4.31 feet,
Chord = N 03° 05' 02" E 4.31 feet
3. S 87° 25' 55" E 219.18 feet
4. N 09° 38' 05" E 92.43 feet
5. S 87° 55' 45" E 869.42 feet
6. N 04° 28' 44" W 356.01 feet
7. N 64° 32' 12" W 12.99 feet
8. N 03° 10' 49" W 11.07 feet
9. N 65° 17' 19" W 224.11 feet
10. N 46° 59' 58" E 229.53 feet
11. N 33° 53' 18" W 130.41 feet
12. N 56° 21' 44" E 277.46 feet
13. S 20° 11' 48" E 303.90 feet
14. N 70° 35' 04" E 22.45 feet
15. S 17° 54' 11" E 443.37 feet
16. N 69° 34' 27" E 700.10 feet
17. S 17° 25' 50" E 25.15 feet
18. S 69° 34' 27" E 125.56 feet
19. S 18° 08' 03" E 147.58 feet
20. N 69° 34' 27" E 123.75 feet
21. S 17° 25' 50" E 937.04 feet
22. N 72° 15' 19" E 36.97 feet
23. S 18° 20' 02" E 50.76 feet
24. N 73° 58' 34" E 200.05 feet
25. S 18° 58' 14" E 1023.40 feet
26. S 67° 29' 58" W 63.45 feet
27. S 05° 10' 02" E 182.25 feet
28. N 85° 14' 33" W 109.18 feet
29. S 18° 44' 33" E 14.85 feet
30. N 79° 29' 33" W 495.00 feet
31. N 88° 05' 24" W 274.80 feet
32. N 05° 30' 28" W 217.07 feet
33. N 87° 30' 28" W 208.67 feet
34. N 05° 27' 20" W 645.69 feet
35. S 83° 08' 14" W 271.60 feet
36. S 84° 31' 05" W 243.15 feet

37. S 83° 17' 01" W 341.83 feet
38. N 12° 16' 32" W 443.89 feet
39. N 87° 44' 59" W 1210.39 feet

To the place of beginning containing 82.323 Acres +/-.

Beginning for the second at a point located N 08° 09' 40" E 518.49' from
the centerline P.I. intersection of Rolling Road and Tudsbury Road, running
thence in a clockwise direction the following:

1. Radius = 2256.83 feet, Length = 137.07 feet,
Chord = N 10° 31' 34" E 137.05 feet
2. N 12° 15' 59" E 173.72 feet
3. S 78° 27' 55" E 204.57 feet
4. S 09° 09' 44" W 303.80 feet
5. N 80° 21' 55" W 217.07 feet

To the place of beginning containing 1.497 Acres +/-.

The two descriptions containing a total of 83.820 Acres +/-.

M.L. 54.144 Ac. +/-
M.L.R.-IM 2.081 Ac. +/-
D.R. 5.5 16.213 Ac. +/-
M.L.R. 7.444 Ac. +/-
D.R. 3.5 3.938 Ac. +/-

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY! NOT TO BE
USED FOR CONVEYANCES OR AGREEMENTS.

R-92-241
PETITION FOR ZONING RE-CLASSIFICATION & RESTRICTING
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition (1)
that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law
of Baltimore County, from D.R. 5.5, D.R. 3.5, M.L.R.-IM and M.L.R.-IM and M.L.R.-IM
zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the
said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property.

for

and (3) for the reasons given in the attached statement, a variance from the following sections of
the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance,
posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning
regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore
County.

Contract Purchaser:

Foulger Pratt Development, Inc.
(Type or Print Name)
Signature Raul Garcia, V.P.

Legal Owner(s):

Leroy M. Merritt
(Type or Print Name)

Address
1355 Piccard Drive, Suite 400
City and State Rockville, MD 20850
(301) 948-0522
Attorney for Petitioner:

John B. Howard, Esquire
(Type or Print Name)

Signature
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-4111

2066 Lord Baltimore Drive, 228-2600
Address Phone No.

Baltimore, Maryland 21207
City and State

Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted

John B. Howard, Esquire
Name

210 Allegheny Avenue, 823-4111
Address Phone No.

BARC-Form 1

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 1/14/92
Posted for: Raul Garcia, Vice President
Petitioner: Foulger Pratt Development, Inc.
Location of property: 2201 Rolling Road
Location of signs: Signs on Rolling Rd, across St. Lawrence
on property to be rezoned
Remarks:
Posted by: [Signature] Date of return: 1/14/92
Number of Signs: 1

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD. 1/2 1992

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 1/2 1992

THE JEFFERSONIAN.

C. Toke Oliver
Publisher

1/2 1992

\$ 112.50

91 DEC 20 PM 2:31

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

CASE #R-92-241

Account: R-001-4150
Number

12/13/91

H920661 Item
No.

PUBLIC HEARING FEES	QTY	PRICE
000 - RECLASSIFICATION	1 X	\$175.00
LAST NAME OF OWNER: MERRITT	TOTAL:	\$175.00

Cashier Validation

Please Make Checks Payable To: Baltimore County \$175.00
BA 101210601-20-91

MICROFILMED



receipt

CASE #R-92-241

Account: R-001-6150
Number

12/13/91

H9200388 Item No.

PUBLIC HEARING FEES

QTY PRICE

060 -RECLASSIFICATION

1 X \$175.00

LAST NAME OF OWNER: MERRITT

TOTAL: \$175.00

Please Make Checks Payable To: Baltimore County

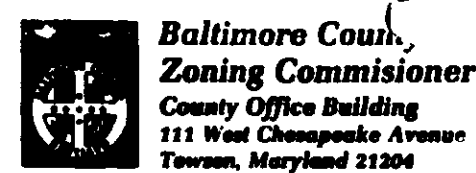
R-92-241

12-13-91

PER BOB HOFFMAN, SIGNED
PETITIONS & MONEY WILL BE
BROUGHT IN ON MONDAY,
DEC. 16. PROCEED WITH THE
PROCESSING PER WCR.

Sophia

MICROFILMED



receipt

Date: 12/30/91

Account: R-001-6150
Number

REVISION FEE \$75.00

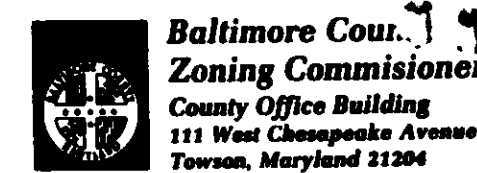
WINDSOR CORPORATE PARK (HEALTH CARE FINANCING ADMIN. "HCFA")

LEGAL OWNER: LEROY M. MERRITT
CONTRACT PURCHASER: FOULGER PRATT DEVELOPMENT, INC.

CASE #R-92-261

MICROFILMED

04024003881000 175.00
Please Make Checks Payable To: Baltimore County



receipt

Date: 12/31/91

Account: R-001-6150
Number: H9200388

REVISED PUBLIC HEARING FEES

QTY PRICE

110 -REVISIONS (ALL OTHERS)

1 X \$75.00

LAST NAME OF OWNER: MERRITT

TOTAL: \$75.00

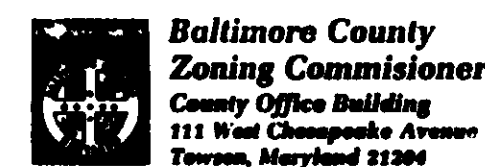
Please Make Checks Payable To: Baltimore County

MICROFILMED

CASE NO. 92-CV-2641
PEOPLE'S COUNSEL v. LEROY M. MERRITT/WINDSOR
FOR BALTIMORE COUNTY CORPORATE PARK
RECEIVED FROM THE COUNTY BOARD OF APPEALS
EXHIBITS, BOARD'S RECORD EXTRACT & TRANS-
SCRIPT FILED IN THE ABOVE-ENTITLED CASE,
AND ZONING COMMISSIONER'S FILE & EXHIBITS.

S. S. Saunders
Clerk's Office

Date: 4/16/92



receipt

Date: 12/30/91

Account: R-001-6150
Number

REVISION FEE \$75.00

WINDSOR CORPORATE PARK (HEALTH CARE FINANCING ADMIN. "HCFA")

LEGAL OWNER: LEROY M. MERRITT
CONTRACT PURCHASER: FOULGER PRATT DEVELOPMENT, INC.

CASE #R-92-261
241

04024003881000 175.00
Please Make Checks Payable To: Baltimore County

Form 204

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE

COUNTY COURTS BUILDING

401 Bayley Avenue

P.O. Box 6754

Towson, Maryland, 21205-6754

April 29, 1992

Notice Register - 92-2641

Jury Assignment - Civil

General Assignment Conference

Non-Jury Assignment - Civil

Special Assignment Conference

TO:

Phyllis G. Friedman, Esq.
Peter M. Friedman, Esq.

John E. Smith, III, Esq.
Robert A. Hoffman, Esq.

County Board of Appeals
of Baltimore County

RE: New-Jury 92-CV-2641 People's Counsel for Balto. Co. vs. Leroy M. Merritt/Windsor Corporate Park

HEARING DATE:

Thursday, July 30, 1992, @ 9:30 a.m.

ON THE FOLLOWING:

Appeal: 1 hour

Please see the below notation.

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other immediately to conform calendars. Claim of not receiving notice will not constitute reason for postponement.

If the above Hearing Date is not acceptable to any counsel, a request for a postponement MUST BE MADE IN WRITING to the Assignment Office AS SOON AS POSSIBLE, with a copy to all counsel involved. POSTPONEMENTS PRIOR TO 30 DAYS OF TRIAL should be directed to the attention of the Assignment Office. POSTPONEMENTS WITHIN 30 DAYS OF TRIAL must be made to the attention of the Director of Court Assignments-Joyce Orsini-867-5497.

SETTLEMENT: If a settlement is reached prior to the hearing date, the Assignment Office must be notified immediately. All settlements must be put on the record if an order of substitution is filed prior to trial.

NOTICE OF HEARING

Petition for Zoning Reclassification
CASE NUMBER: R-92-241
2501 Rolling Road
Windsor Corporate Park (Health Care Financing Administration "HCFA")
Legal Owner(s): Leroy Merritt
Contract Purchaser(s): Foulger Pratt Development, Inc.
2nd Election District - 2nd Councilmanic
HEARING: THURSDAY, JANUARY 30, 1992 at 10:00 a.m.

RECLASSIFICATION: Petition to reclassify the property from D.R.3.5, D.R.3.5, M.R., M.R.-IM and M.L. zoning to M.L.-IM zoning.

PROPERTY DESCRIPTION

Beginning for the same at a point located S 13 degrees 47 minutes 02 seconds E 121.01 feet from the centerline P.I. Intersection of Rolling Road and Tulebury Road, running thence in a clockwise direction the following: N 03 degrees 01 minutes 41 seconds E 405.81 feet; thence S 225.83 feet; thence S 4.31 feet; thence S 03 degrees 05 minutes 02 seconds E 4.31 feet; S 87 degrees 25 minutes 05 seconds E 1102.96 feet; N 11 degrees 25 minutes 42 seconds E 87.25 feet; N 03 degrees 10 minutes 49 seconds E 14.53 feet; S 87 degrees 55 minutes 45 seconds E 19.55 feet; N 04 degrees 28 minutes 44 seconds E 356.01 feet; N 64 degrees 32 minutes 12 seconds E 12.99 feet; N 03 degrees 10 minutes 49 seconds E 11.07 feet; N 05 degrees 17 minutes 19 seconds E 224.11 feet; N 46 degrees 59 minutes 58 seconds E 229.53 feet; S 33 degrees 53 minutes 18 seconds E 120.41 feet; N 56 degrees 21 minutes 44 seconds E 577.46 feet; S 20 degrees 11 minutes 48 seconds E 503.99 feet; N 70 degrees 35 minutes 04 seconds E 22.45 feet; S 17 degrees 54 minutes 11 seconds E 463.37 feet; N 69 degrees 34 minutes 27 seconds E 700.10 feet; S 17 degrees 25 minutes 30 seconds E 25.25 feet; S 69 degrees 34 minutes 27 seconds E 125.56 feet; S 18 degrees 08 minutes 30 seconds E 147.58 feet; N 69 degrees 34 minutes 27 seconds E 125.75 feet; S 17 degrees 25 minutes 30 seconds E 937.04 feet; N 72 degrees 15 minutes 19 seconds E 36.97 feet; S 18 degrees 20 minutes 02 seconds E 50.76 feet; N 73 degrees 58 minutes 34 seconds E 200.05 feet; S 18 degrees 58 minutes 14 seconds E 1023.40 feet; S 67 degrees 29 minutes 58 seconds E 63.45 feet; S 05 degrees 10 minutes 02 seconds E 182.25 feet; N 85 degrees 14 minutes 33 seconds E 109.18 feet; S 18 degrees 44 minutes 33 seconds E 14.85 feet; N 79 degrees 29 minutes 33 seconds E 495.00 feet; N 88 degrees 05 minutes 28 seconds E 274.80 feet; N 05 degrees 30 minutes 28 seconds E 217.07 feet; N 87 degrees 30 minutes 28 seconds E 268.67 feet; N 05 degrees 27 minutes 20 seconds E 645.69 feet; S 83 degrees 08 minutes 14 seconds E 271.60 feet; S 84 degrees 31 minutes 05 seconds E 243.15 feet; S 83 degrees 17 minutes 01 seconds E 341.83 feet; N 12 degrees 16 minutes 32 seconds E 443.89 feet; N 87 degrees 44 minutes 59 seconds E 1210.39 feet.

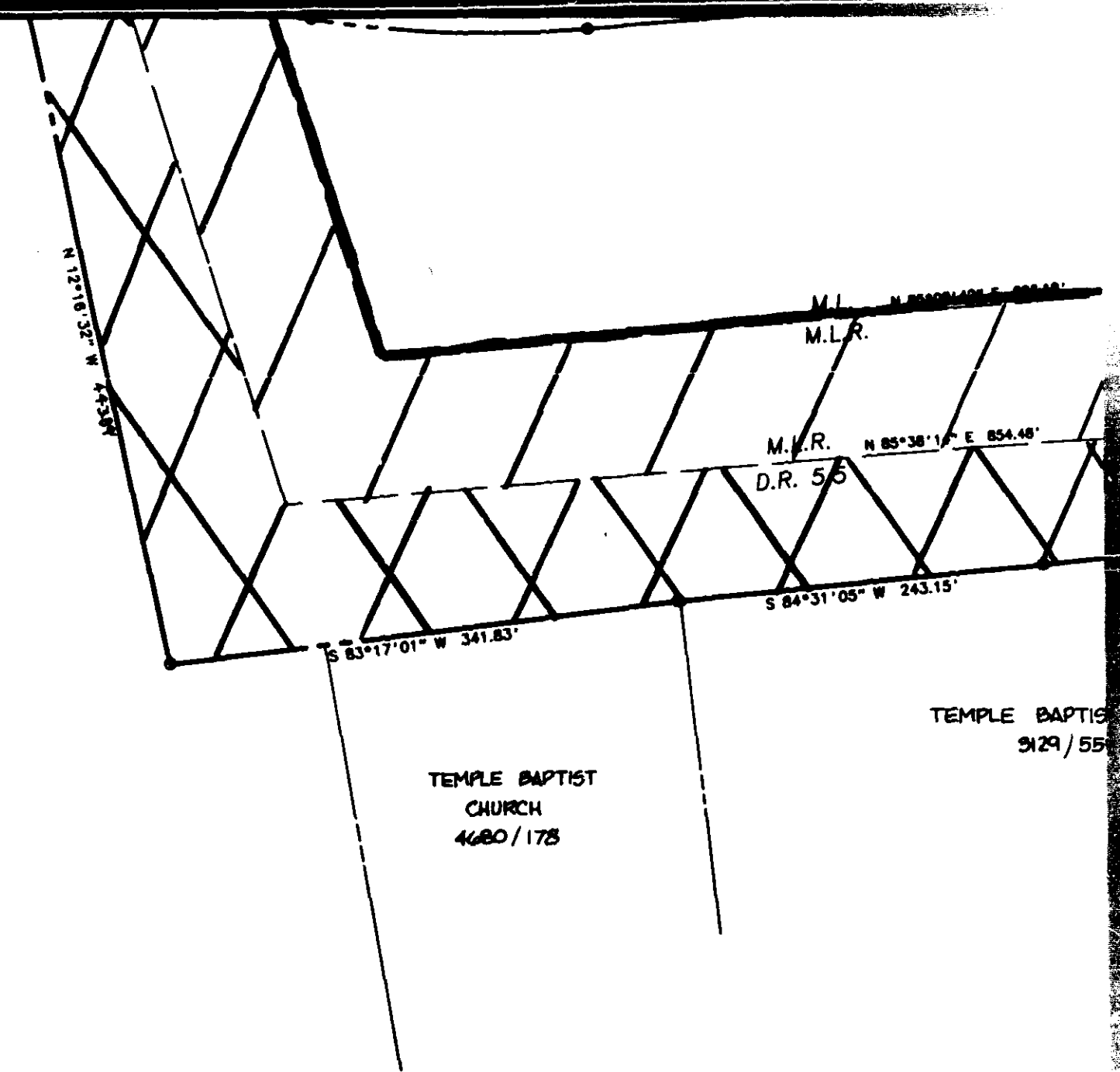
To the place of beginning containing 61.46 acres, more or less.

HEARING:
THURSDAY, JANUARY 30, 1992 at 10:00 a.m.
County Courthouse - Room 49, 400 Washington Avenue Towson, Maryland 21204

WILLIAM T. HACKETT,
CHAIRMAN, COUNTY BOARD OF APPEALS

FIRST AMENDED
PLAT ONE & TWO
WATERFORD PLACE
54/90, 54/91

N 10,000



ZONING AREAS

M.L.	54.144 AC. +/-
M.L.R.-I.M.	0.184 AC. +/-
D.R. 5.5	14.716 AC. +/-
M.L.R.	7.444 AC. +/-
D.R. 3.5	3.956 AC. +/-
TOTAL	80.426 AC. +/-

LEGEND

EXISTING MLR-IM		TO ML-IM
PROPOSED ML-IM		
EXISTING OR 5.5		TO ML-IM
PROPOSED ML-IM		
EXISTING MLR		TO ML-IM
PROPOSED ML-IM		
EXISTING ML		TO ML-IM
PROPOSED ML-IM		
EXISTING DR 3.5		TO ML-IM
PROPOSED ML-IM		

GW&S
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

MERRITT
2066 Lord Baltimore Drive
Baltimore, Maryland 21207
(301) 258-2500

Scale 1" = 100'

3/4

NOTICE OF HEARING

Petition for Zoning Reclassification
CASE NUMBER: R-92-241
2501 Rolling Road
Windsor Corporate Park (Health Care Financing Administration "HCFA")
Legal Owner(s): Leroy Merritt
Contract Purchaser(s): Foulger Pratt Development, Inc.
2nd Election District - 2nd Councilmanic
HEARING: THURSDAY, JANUARY 30, 1992 at 10:00 a.m.

RECLASSIFICATION: Petition to reclassify the property from D.R.5.5, D.R.3.5, M.L.-IM and M.L. zoning to M.L.-IM zoning.

PROPERTY DESCRIPTION

Beginning for the same at a point located S 13 degrees 47 minutes 02 seconds E 121.01 feet from the centerline P.I. intersection of Rolling Road and Tudbury Road, running thence in a clockwise direction the following: S 03 degrees 01 minutes 41 seconds E 405.81 feet; thence S 256.83 feet; length - 4.31 feet; thence S 03 degrees 05 minutes 02 seconds E 4.31 feet; S 87 degrees 25 minutes 15 seconds E 1102.80 feet; S 11 degrees 26 minutes 42 seconds E 87.25 feet; S 03 degrees 10 minutes 49 seconds E 14.53 feet; S 87 degrees 35 minutes 45 seconds E 15.55 feet; S 04 degrees 28 minutes 44 seconds E 356.01 feet; S 64 degrees 32 minutes 12 seconds E 12.99 feet; S 03 degrees 10 minutes 49 seconds E 11.07 feet; S 65 degrees 17 minutes 19 seconds E 224.11 feet; S 46 degrees 59 minutes 58 seconds E 229.53 feet; S 33 degrees 53 minutes 18 seconds E 135.41 feet; S 56 degrees 21 minutes 44 seconds E 577.46 feet; S 20 degrees 11 minutes 48 seconds E 503.99 feet; S 70 degrees 35 minutes 04 seconds E 22.45 feet; S 17 degrees 54 minutes 11 seconds E 463.37 feet; S 69 degrees 34 minutes 27 seconds E 700.10 feet; S 17 degrees 25 minutes 50 seconds E 25.25 feet; S 69 degrees 34 minutes 27 seconds E 125.56 feet; S 18 degrees 08 minutes 30 seconds E 147.58 feet; S 69 degrees 34 minutes 27 seconds E 122.75 feet; S 17 degrees 25 minutes 50 seconds E 307.04 feet; S 72 degrees 15 minutes 19 seconds E 36.97 feet; S 18 degrees 20 minutes 02 seconds E 50.76 feet; S 73 degrees 58 minutes 34 seconds E 200.05 feet; S 18 degrees 58 minutes 14 seconds E 1023.40 feet; S 67 degrees 29 minutes 58 seconds E 63.45 feet; S 05 degrees 10 minutes 02 seconds E 182.25 feet; S 85 degrees 14 minutes 33 seconds E 109.18 feet; S 18 degrees 44 minutes 33 seconds E 14.85 feet; S 79 degrees 29 minutes 33 seconds E 495.00 feet; S 88 degrees 05 minutes 24 seconds E 274.80 feet; S 05 degrees 30 minutes 28 seconds E 217.07 feet; S 87 degrees 30 minutes 28 seconds E 208.47 feet; S 05 degrees 27 minutes 20 seconds E 545.49 feet; S 83 degrees 08 minutes 14 seconds E 271.60 feet; S 84 degrees 21 minutes 05 seconds E 243.15 feet; S 83 degrees 17 minutes 01 seconds E 341.83 feet; S 12 degrees 16 minutes 32 seconds E 443.89 feet; S 87 degrees 44 minutes 59 seconds E 1220.39 feet;
To the place of beginning containing 80.426 acres, more or less.

HEARING:

THURSDAY, JANUARY 30, 1992 at 10:00 a.m.
County Courthouse - Room 49, 600 Washington Avenue Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE

Leroy Merritt
7066 Lord Baltimore Drive
Baltimore, Maryland 21207

Foulger Pratt Development, Inc.
1355 Picard Drive, Suite 400
Rockville, Maryland 20850

Re: Petition for Zoning Reclassification

CASE NUMBER: R-92-241

2501 Rolling Road

Windsor Corporate Park (Health Care Financing Administration "HCFA")

Legal Owner(s): Leroy Merritt

Contract Purchaser(s): Foulger Pratt Development, Inc.

2nd Election District - 2nd Councilmanic

HEARING: THURSDAY, JANUARY 30, 1992 at 10:00 a.m.

Dear Petitioner(s):

This is to advise you that \$_____ is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

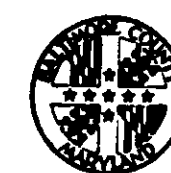
THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and immediately mail same to the attention of G. Stephens, Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Very truly yours,

Arnold Jablon
Director

cc: Robert Hoffman, Esq.



County Council of Baltimore County

Court House, Towson, Maryland 21204

(301) 887-3195

Fax (301) 887-5791

COUNCIL

Bertha L. Manley
First District

Melvin G. Mintz
Second District

Charles A. Rappenhagen, III
Third District

Douglas B. Riley
Fourth District

Vince Gardina
Fifth District

William A. Howard, IV
Sixth District

Donald C. Mason
Seventh District

Thomas Toporovich
Eighth District

Thomas J. Peddicord, Jr.
Legislative Council

December 3, 1991

Mr. William T. Hackett, Chairman
Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

Dear Mr. Hackett:

Attached please find a copy of Resolution 91-91 to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Leroy Merritt, owner, for 85 acres of land in the Windsor Corporate Park located at 2601 Rolling Road in the Second Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356 of the Baltimore County Code, 1988, as amended.

This Resolution was unanimously approved by the County Council at their meeting on Monday, December 2, 1991 and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
Enclosure
R9191/DAP/TJP

cc: P. David Fields, Director
Office of Planning and Zoning

15:11 11/4 4-03016

MICROFILMED

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1991, LEGISLATIVE DAY NO. 22
RESOLUTION NO. 91-91

MR. MELVIN G. MINTZ, COUNCILMAN

BY THE COUNTY COUNCIL, DECEMBER 2, 1991

A RESOLUTION to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Leroy Merritt, owner, for 85 acres of land in the Windsor Corporate Park located at 2601 Rolling Road in the Second Councilmanic District, should be exempted from the regular cyclical procedure of Section 2-356 of the Baltimore County Code, 1988, as amended.

WHEREAS, the Planning Board, by Resolution dated November 21, 1991, has certified that early action on the Petition for Zoning Reclassification filed on behalf of Leroy Merritt requesting a reclassification of the above described property is manifestly required in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-356(i) may approve said certification and exempt the Petition for Zoning Reclassification from the regular cyclical procedure of Section 2-356.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the certification by the Planning Board that early action on the zoning Reclassification Petition filed on behalf of Leroy Merritt be and the same as hereby approved; and

BE IT FURTHER RESOLVED that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-356(i) of the Baltimore County Code.

R9191/RZ591

MICROFILMED

ZONING ADVISORY COMMITTEE
MEETING OF DECEMBER 23, 1991

R-92-241
Item #261
Legal Owner: Leroy M. Merritt
Contract Purchaser: Foulger Pratt Development, Inc.
Location: E/S Rolling Road, opposite Tudbury Road and N/S Dogwood Road, E & W/S Proposed Lord Baltimore Drive (#2601 Rolling Road, Windsor Corporate Park - Health Care Financing Administration "HCFA")
Existing Zoning: M.L.R. -- 7.62 acres
M.L.R.-I.M. -- 2.12 acres
M.L. -- 53.6 acres
D.R.-3.5 -- 4.04 acres
D.R.-5.5 -- 16.97 acres
Proposed Zoning: Reclassification to M.L.-I.M.
Area: 84 (+/-) acres
District: 2nd Election District
2nd Councilmanic District

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

December 13, 1991

TO: Baltimore County Zoning Plans Advisory Committee
FROM: W. Carl Richards, Jr.
Zoning Coordinator (887-3391)
SUBJECT: Out-of-Cycle Documented Zoning Reclassification Petition
Case Number R-92-241
Windsor Corporate Park (Health Care Financing Administration "HCFA")
Legal Owner: Leroy M. Merritt
Contract Purchaser: Foulger Pratt Development, Inc.
2601 Rolling Road
E/S Rolling Road, opposite Tudbury Road and N/S Dogwood Road, E & W/S Proposed Lord Baltimore Drive
2nd Election District; 2nd Councilmanic District

THE ABOVE REFERENCED PETITION HAS BEEN EXEMPTED FROM THE REGULAR CYCLICAL BI-YEARLY ZONING RECLASSIFICATION PROCEDURE BY CERTIFICATION OF THE BALTIMORE COUNTY PLANNING BOARD ON NOVEMBER 21, 1991 AND BY RESOLUTION OF THE BALTIMORE COUNTY COUNCIL DATED DECEMBER 2, 1991 (ATTACHED). PURSUANT TO SECTION 2-58.1(i) OF THE BALTIMORE COUNTY CODE, THE COUNTY BOARD OF APPEALS HAS SET A VERY EARLY HEARING DATE OF THURSDAY, JANUARY 30, 1992 AT 10:00 A.M. BECAUSE OF THE ACCELERATED PROCEDURE AND VERY EARLY HEARING DATE, YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR COMMENTS TO THIS OFFICE UNDER THE ABOVE REFERENCE PRIOR TO THE HEARING DATE. IF YOU SHOULD NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE ENGINEER, ATTORNEY OR MYSELF IMMEDIATELY.

WCR:scj

MICROFILMED

Baltimore County Government
Planning Board

401 Bosley Avenue
Towson, MD 21204

887-3211

November 22, 1991

Hon. Douglas B. Riley
Chairman, Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on Reclassification Petition (Windsor Corporate Park property)

Dear Councilman Riley:

At its regular monthly meeting on November 21, 1991, the Baltimore County Planning Board voted, in accordance with Section 2-356(i) of the County Code, to certify to the County Council that early action upon the petition for zoning reclassification of the Windsor Corporate Park property is manifestly required.

Enclosed herewith is a copy of the report as approved by the Planning Board. The County planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely yours,

P. David Fields
Secretary to the Planning Board

PDF/TD/mjm
WINDSOR/TXTMJM

cc: Members, Baltimore County Council
Merreen E. Kelly, Administrative Officer
Thomas Peddicord, Jr., Legislative Counsel/Secretary
Arnold Jablon, Director, ZADM
William T. Hackett, Chairman, Board of Appeals
Phyllis Cole Friedman, Esquire, People's Counsel
Robert A. Hoffman, Esquire

98-8-11/4 4-03016

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Baltimore County Planning Board
DATE: November 20, 1991
FROM: P. David Fields, Director
Office of Planning & Zoning
SUBJECT: REQUEST FOR CERTIFICATION - WINDSOR CORPORATE PARK

The attached letter and other documents from Robert Hoffman, Esquire, on behalf of Leroy Merritt, requests certification by the Planning Board for out-of-cycle action on a zoning petition for reclassification of approximately 21 acres of D.R. 5.5 and D.R. 3.5 to M.L.-IM; approximately 10 acres of M.L.R. and M.L.R.-IM to M.L.-IM; and the redistricting of approximately 54 acres of M.L. to M.L.-IM.

Section 2-356(i) of the County Code authorizes the Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle zoning schedule for an earlier hearing.

The subject request for certification has been reviewed by OPZ staff, and without taking a position on the merits of the case, we recommend that the Board should certify that early action upon this zoning reclassification petition is required.

P. David Fields

PDF/JL/lw
DFWINDC.ORG/TXTLLF

MICROFILMED

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
Baltimore, MD
WASHINGTON, D.C.
HAGERSTOWN, MD
ROCKVILLE, MD
BETHESDA, MD
TOWSON, MARYLAND 21204-5517
(301) 832-4111
FAX (301) 832-4147

November 19, 1991

494-9162

P. David Fields
Director
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Out of Cycle Reclassification Request
Windsor Corporate Park
Located at 2601 Rolling Road
Leroy M. Merritt, Petitioner

Dear Mr. Fields:

As you know, Leroy Merritt has filed an issue with your office for a rezoning of approximately 21 acres of D.R. 5.5 and D.R. 3.5 to ML-IM, and approximately 10 acres of MLR and MLR-IM to ML-IM; the request also includes a redistricting of approximately 54 acres of ML to ML-IM (Issue No. 2-039). A copy of the 500' scale tax map and 1,000' scale zoning map is enclosed. As we discussed, Mr. Merritt wishes to file a Reclassification Petition consistent with the Comprehensive Map Issue #2-039 pursuant to Section 2-356 of the Baltimore County Code as being manifestly in the public interest.

As you know, this site has been identified as a potential development site for the Health Care Financing Administration ("HCFA") office project. The HCFA project would encompass approximately 700,000 square feet of office space and would employ over 3,000 individuals, making it a potentially significant asset to the County.

Currently, Baltimore City and Baltimore County are vying to bring this development to their respective jurisdictions. Rezoning

P. David Fields
November 19, 1991
Page 2

this property as requested will permit the property owner or developer more flexibility in properly designing the site for HCFA for both building and parking locations. It is therefore, respectfully submitted that it is clearly in the public interest to take the referenced zoning reclassification petition out of cycle.

Therefore, on behalf of Leroy Merritt, we respectfully request that you ask the Planning Board to consider at its next meeting on November 21, 1991, to certify to the County Council that it is in the public interest for the Board of Appeals to hear this case out of cycle.

If you have questions or comments please do not hesitate to contact me.

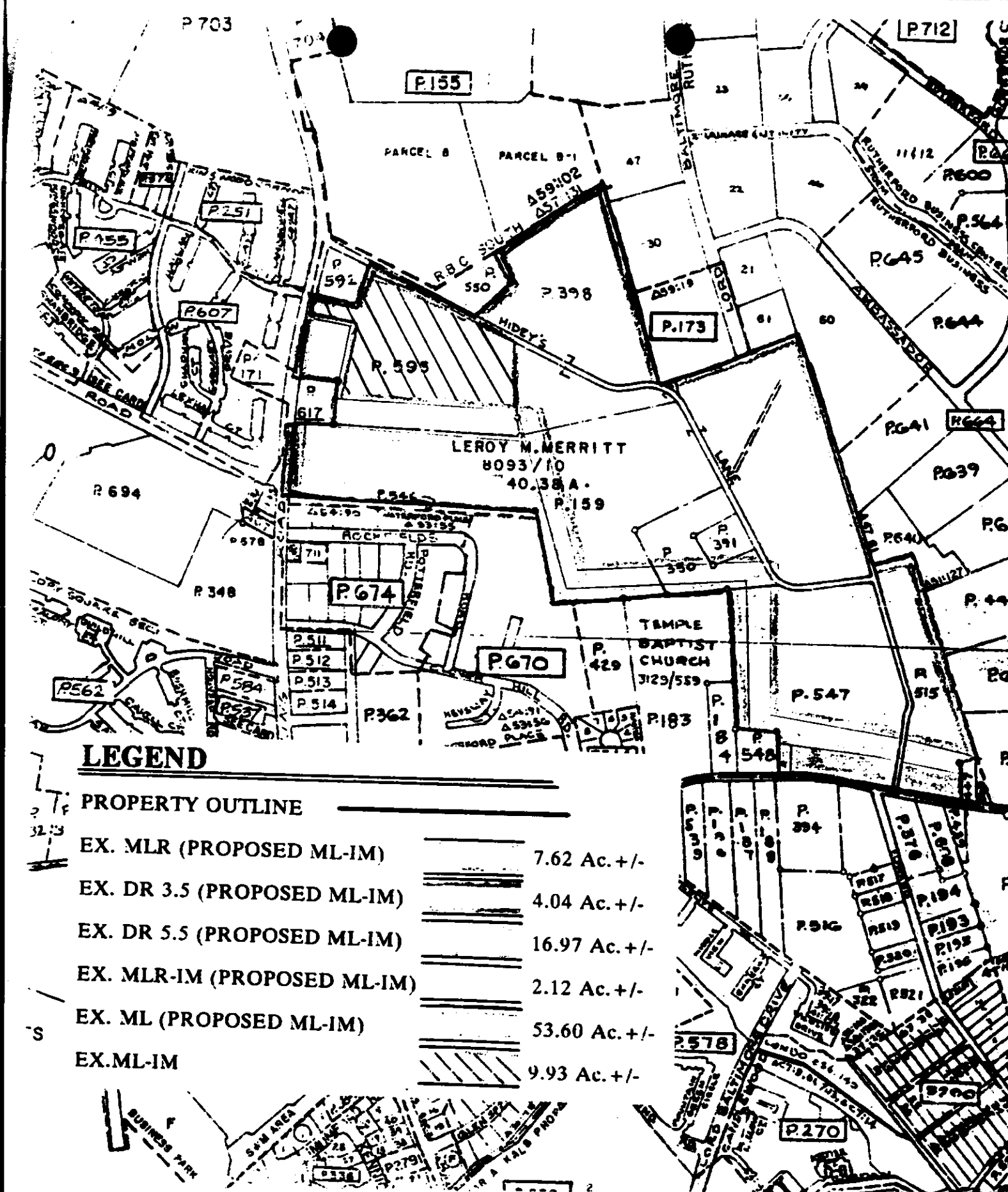
Yours truly,

Robert A. Hoffman

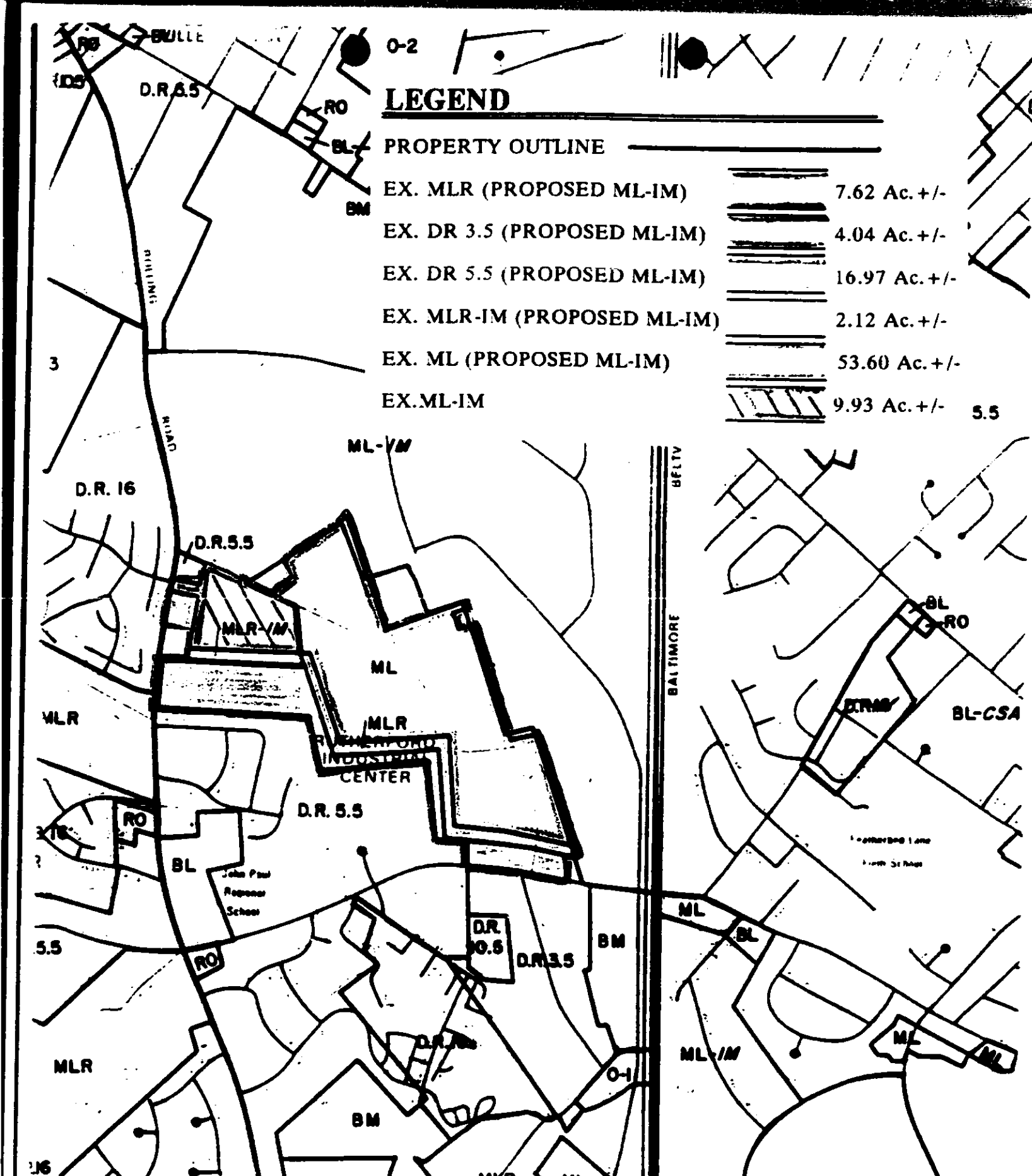
RAH/dok

Enclosure

cc: Leroy M. Merritt
Gary J. Swatko



PART OF 1"=600' BALTIMORE COUNTY TAX MAP 87



PART OF 1"=1000' BALTIMORE COUNTY ZONING MAP F-2

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman DATE: January 28, 1992
Baltimore County Board of Appeals
FROM: Arnold F. "Pat" Keller, III
Deputy Director
Office of Planning & Zoning
SUBJECT: CASE NO. R92-241/LEROY M. MERRITT PROPERTY

At its regular monthly meeting on November 21, 1991, the Baltimore County Planning Board, voted in accordance with Section 2-356 (1) of the County Code, to certify to the County Council that early action upon the Petition for zoning reclassification of the Leroy M. Merritt Property is manifestly required.

The County Council unanimously approved a Resolution approving the Planning Board's certification on December 2, 1991.

Enclosed herewith is a copy of the report of the Office of Planning and Zoning.

Arnold F. "Pat" Keller, III

AFK/JL/LW
PKH/ME/RT/TKTLLF

Enclosure

CASE NO. R-92-241

PETITIONER:

Leroy M. Merritt

REQUESTED ACTION:

Reclassification from D.R. 3.5, D.R. 5.5, M.L.R., M.L.R.-I.M., and M.L. to a M.L.-I.M. zone

EXISTING ZONING:

D.R. 3.5 (13,938± acres)
D.R. 5.5 (14,716± acres)
M.L. (54,144± acres)
M.L.R. (7,44± acres)
M.L.R.-I.M. (0.184± acres)

LOCATION:

Rolling Road at the terminus of Tudbury Road.

SITE DESCRIPTION:

The subject 82.222 acre tract is partially developed as a flex-office development, comprised of one-story buildings, however, a large portion of the site remains undeveloped.

WATER AND SEWERAGE:

This tract is served by public water and sewer. The area in which the parcel is located is designated as a W-1, S-1 (existing service area) according to the Master Water and Sewer Plan.

TRAFFIC AND ROADS:

This property has direct access onto Rolling Road and is located within close proximity to the I-70/I-695 interchange, which ensures good regional accessibility.

PROPOSED VS. EXISTING ZONING:

Existing Zoning - Approximately 18 acres within this tract is zoned for density residential uses. The regulations governing D.R. zoning may be found in Section 1801 of the Baltimore County Zoning Regulations.

The M.L.R. zone is found in Section 248 of the Baltimore County Zoning Regulations. This zone permits grouping of high types of industrial plants. The zone also allows those uses permitted in the M.R. zone, except Helipad, Type II, which may be permitted only as a Special Exception.

Building height is limited to 60 ft., except that any building may exceed such height provided that at no point it projects above a line sloping inward and upward at a 45 degree angle from the 60 foot elevation at the required setback line. Building height is further restricted by the permitted floor area ratio which is 6.

Proposed Zoning - The M.L. zone permits a number of light manufacturing and office uses by right. The zone also allows auxiliary retail or service uses or semi-industrial uses, provided these uses are located in a planned industrial park of at least 25 acres in net area or in an I.M. district. However, such uses are not permitted in cases where direct access to an arterial street exists.

Building height is unlimited, except on lots abutting a residence (D.R. or R.C.) or business zone (B.L., B.R., B.M.). In these cases, the maximum permitted height is 40 ft. or three (3) stories if any part of the building is within 100 ft. of the boundary line of a residence or business zone.

The area regulations in the M.L. zone are the same as those in a B.R. zone unless the property is within 100 ft. of a residential zone boundary, street, right-of-way, and existing or proposed interstate highway, freeway, expressway. In these cases, the setbacks shall be the same as required in the M.R. zone.

The I.M. district is found in Section 259.2H of the Baltimore County Zoning Regulations. This district may be applied only to certain areas individually containing 100 acres or more of land zoned for industrial or semi-industrial use (e.g., M.H., M.L. and M.L.R.), undivided by expressways or freeways. In I.M. districts, greater industrial use of prime industrial land is promoted by discouraging auxiliary retail commercial usage.

ZONING HISTORY:

Since 1980, the County has received requests to reclassify various portions of the subject property. In 1980, a request was filed to rezone 13.7 acres from D.R. 5.5 to D.R. 16. The existing D.R. 5.5 zoning was retained (see Issue No. 3-2). In 1984, two issues were filed on the property and the site was rezoned in part to M.L. and M.L.-I.M. (see Issue Nos. 2-25 and 2-60). This site is being reviewed as part of the 1992 Comprehensive Zoning Map Process. An issue has been filed to reclassify the property from D.R. 3.5, D.R. 5.5, M.L., M.L.R. and M.L.R.-I.M. to a M.L.-I.M. zone (see Issue No. 3-056).

ZONING OF ADJACENT PROPERTY/USE:

North: M.L.-I.M., Industrial/Office (Rutherford Business Center, Windsor Corporate Park)

South: D.R. 3.5, D.R. 5.5, Single-family

East: M.L.-I.M., Industrial/Office (Rutherford Business Center)

West: D.R. 16, M.L.R., Multi-family dwellings and unimproved industrially zoned land.

MASTER PLAN:

The Western Sector Land Use Plan (p. 92) designates this site as Office/Industrial. According to the Master Plan, future development in office/industrial zones is expected to shift from low density manufacturing and warehouse uses into more intensive office and other service uses. The Master Plan also acknowledges the importance of providing "significant acreage for new office/industrial development" within the general area of the applicant's property.

RECOMMENDATION:

Located within the I-70 interstate quadrant, this site has good regional transportation accessibility. The proposed and existing industrial zoned areas are meant to provide significant county-wide service and employment opportunities. Development of major employment and service areas is encouraged where adequate existing or planned transportation and public utilities are available. The provision of design and performance standards to ensure compatibility with adjacent residential areas will be a critical aspect of this project.

At this time, Baltimore County and Baltimore City are vying for the relocation of the Health Care Financing Administration (H.C.F.A.) consolidation project. The Windsor Corporate Park site is an ideal location to facilitate the required high rise design needed to comply with the specifications outlined by H.C.F.A. Therefore, to ensure that this site meets all the specified requirements, the requested zoning change is necessary to accommodate this project. Based upon the analysis conducted and the information provided, staff recommends the Petitioner's request be granted.

R92/241/TKTLLF

01:16:11 06 NOV 92

ENCLOSURE

ENCLOSURE

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: W. Carl Richards
Zoning Office

DATE: December 4, 1991

FROM: Kathleen C. Weidenhammer
County Board of Appeals

SUBJECT: Out-of-Cycle Exemption-
Reclassification Petition /
Windsor Corporate Park Property
(Health Care Financing Administration /
"HCFA")

Carl:

Regarding the subject out-of-cycle reclassification petition, attached is a copy of a letter received this date from the Baltimore County Council confirming approval of this matter for exemption from the regular cyclical process. Also attached is a copy of Resolution No. 91-91.

Pursuant to the appropriate section of the Baltimore County Code, we have scheduled this matter for hearing before the Board on Thursday, January 30, 1992 at 10:00 a.m. in the Board of Appeals hearing room. I have spoken with Gwen regarding advertising and appropriate notification of parties. Also, Rob Hoffman has informed me that he will contact you with regard to the filing of the Petition which will contain the information needed by Gwen.

Should you have any questions, please call me at extension 3180.

cc: Gwen Stephens

RECEIVED
DEC 5 1991
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director
Zoning Administration

DATE: December 20, 1991

TO: Tony Haley, Deputy Director
Economic Development Commission

FROM: Windsor Corporate Park Zoning Change
(R-92-241, Item #261)

SUBJECT:

The Economic Development Commission (EDC) wishes to go on record in support of the above referenced, out-of-cycle, zoning change request filed by Leroy M. Merritt for the Windsor Corporate Park in Woodlawn.

This proposed zoning change is vital to the contract purchaser's bid for construction of the new Health Care Financing Administration (HCFA) headquarters. HCFA has been one of Baltimore County's major employers for the past thirty (30) years and is in the process of locating a site on which to consolidate its operations.

Overall, five (5) sites have been submitted for consideration by HCFA, one of which is located in downtown Baltimore. It is crucial that each site in the county be able to meet HCFA's facility requirements so as to assure the best chance of retaining the 3,300+ jobs associated with this agency.

The EDC will continue to work closely with HCFA, the land owner and contract purchaser to assure development at the site is in accordance with county regulations. Please do not hesitate to contact me should you have any concerns regarding this matter.

AJR:ts

c: Julie Winiarski

CPS-008

LEROY M. MERRITT #R-92-241
(Out-of-Cycle)

E/s Rolling Rd., oppos. Tudsbury
Rd. & N/s Dogwood Rd., E & W/s
proposed Lord Baltimore Dr. (2601
Rolling Rd., Windsor Corporate Park -
Health Care Financing Administration "HCFA")

D.R.5.5/D.R.3.5/MLR/MLR-IM and ML to ML-IM 84 ± acres

November 21, 1991 Planning Board Meeting wherein it was voted to certify to the County Council that early action upon the Petition for zoning reclassification of the Windsor Corporate Park property is manifestly required.

December 2 Petition approved by County Council.

December 16 Petition for Reclassification from D.R.5.5/D.R.3.5/MLR/MLR-IM and ML to ML-IM filed by John B. Howard, Esquire, Counsel for Petitioner, received by the Board of Appeals.

* John B. Howard, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

Leroy M. Merritt
2606 Lord Baltimore Drive
Baltimore, Maryland 21207

Raul Garcia, Vice-President
Foulger Pratt Development, Inc.
1355 Piccard Drive, Suite 400
Rockville, Maryland 20850

James Earl Kraft
Baltimore County Board of Education
940 York Road
Towson, Maryland 21204

Phyllis C. Friedman, Esquire
People's Counsel for Baltimore
County

P. David Fields
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration

Contract Purchaser

Contract Purchaser

Contract Purchaser

Contract Purchaser

Contract Purchaser

LEROY M. MERRITT/WINDSOR CORPORATE PARK #R-92-241
(HEALTH CARE FINANCING ADMINISTRATION/
"HCFA"), E/s Rolling Rd. oppos. Tudsbury Rd. & N/s Dogwood Rd. E & W/s proposed Lord Baltimore Drive (2601 Rolling Rd., Windsor Corporate Park/Health Care Financing Admin. "HCFA")

D.R. 5.5 /D.R. 3.5 /M.L.R./M.L.R.-I.M. AND M.L. TO M.L.-I.M.

November 21, 1991 Planning Board Meeting wherein it was voted to certify to the County Council that early action upon the Petition for zoning reclassification of the Windsor Corporate Park property is manifestly required.

December 2 Petition approved by County Council.

December 16 Petition for Reclassification from D.R.5.5/D.R.3.5/MLR/MLR-IM and ML to ML-IM filed by John B. Howard, Esquire, Counsel for Petitioner, received by the Board of Appeals.

December 30 Revised Petition filed.

January 2, 1992 Publication in newspapers.

January 10 Certificate of Posting of property.

January 28 Planning Board Comments.

January 30 Hearing before the Board of Appeals.

February 28 Opinion and Order of the Board GRANTING the Petition for Reclassification to rezone the entire site to M.L.-I.M.

March 20 Order for Appeal filed in the Circuit Court for Baltimore County by Phyllis C. Friedman, People's Counsel for Baltimore County. Petition to accompany appeal also filed.

March 20 Certificate of Notice sent to interested parties.

April 16 Transcript of testimony filed; Record of Proceedings filed in the Circuit Court for Baltimore County.

March, 1999 Status of case was reviewed; last known filing was a Joint Motion to Stay Case in the CCT on 4/30/92 - County Council issue was pending and new maps were to be legislatively adopted, thus mooted the issues in this case.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits & Development Management

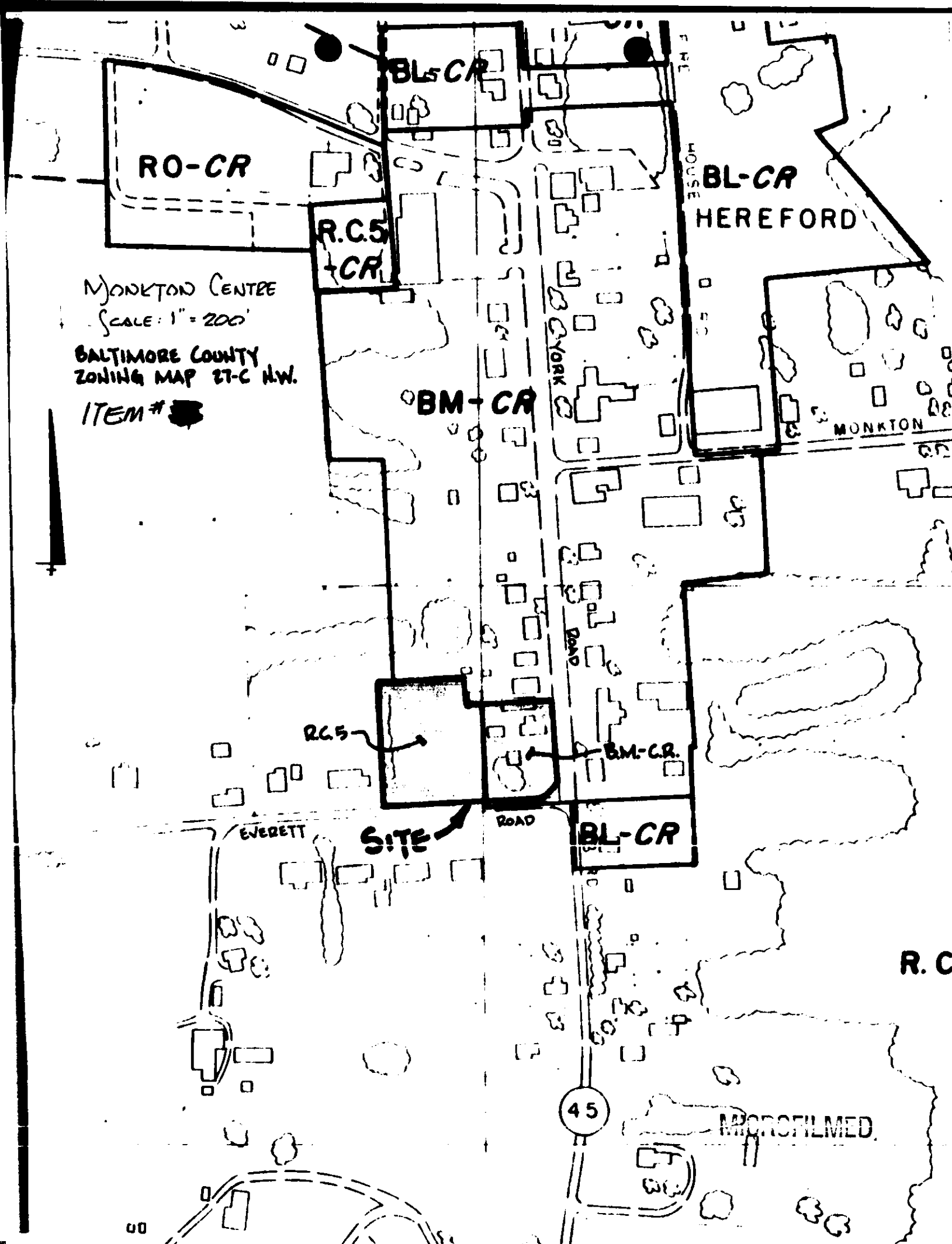
DATE: March 11, 1999

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed Files: Case Nos.
90-219-XA /Randall E. McMonigle (Randy's Landscaping)
92-346-XA /Leo J. Umerley, et ux
R-92-241 /Leroy M. Merritt (Windsor Corporate Park)

Since above captioned cases have been completed in the upper courts, we have closed the files and are returning same to you herewith.

Attachment (File Nos. 90-219-XA; 92-346-XA; and R-92-241)



VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
TOWSON, MARYLAND 21206-5517
(301) 822-8111
FAX (301) 822-0147

ROBERT A. HOFFMAN
December 13, 1991

William T. Hackett, Chairman
County Board of Appeals
for Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Out-of-Cycle Reclassification Redistricting Request
Windsor Corporate Park
2601 Rolling Road
Leroy M. Merritt, Petitioner

Dear Chairman Hackett:

This firm represents Leroy M. Merritt in the referenced out-of-cycle Petition for Reclassification. This reclassification request comes before the Board as an out-of-cycle reclassification, found to be in the public's interest by the County Council in order to better position the subject property as a potential development site for the Health Care Financing Administration ("HCFA") office project.

The subject property, comprising approximately 84 acres, is located at 2601 Rolling Road, and also borders Dogwood Road, west of I-695, in Baltimore County, Maryland. The subject property is part of the partially developed Windsor Corporate Park, an office-flex development composed of one-story buildings, and is currently several different zoning classifications including 7.62 acres of MLR, 2.12 acres of MLR-IM, 53.6 acres of ML, 4.04 acres of D.R. 3.5, and 16.97 acres of D.R. 5.5. The Petitioner respectfully submits that these classifications are in error and that the property should be rezoned to ML-IM in its entirety.

William T. Hackett, Chairman
December 13, 1991
Page 2

A review of the 200' and 1,000' scale Comprehensive Zoning Maps indicate that the ML-zoned property is immediately adjacent to a vast industrial tract zoned ML-IM. The use of that ML-IM property runs the gamut from large scale warehouse to medical office space and is known as the Rutherford Business Park. The subject site is also adjacent to vacant property owned by the Baltimore Gas & Electric Company. The small strips of MLR and MLR-IM are inappropriately zoned given the physical configurations they represent. These strips reduce the ability to develop the subject property in a manner consistent with the policies of the Baltimore County Zoning Regulations or the 1989-2000 Master Plan for promoting low density housing in suitable areas, because this small tract is bordered by the Windsor Corporate Park to the north, the proposed Lord Baltimore Drive to the east, and Dogwood Road, to the south. The D.R. 5.5-zoned property is equally unsuited for residential development because it borders Rolling Road to the west, the ML-zoned corporate park to the north and the proposed Tudsbury Road to the south. Such zoning classifications for these tracts can only be the result of mistake or error on the 1988 and previous Comprehensive Zoning Maps.

Likewise, the D.R. 3.5-zoned portion along Dogwood Road is inappropriately zoned for this particular four-acre tract. Residential development on this site is unsuitable and would not be consistent with the policies of the Baltimore County Zoning Regulations or the 1989-2000 Master Plan for promoting low density housing in suitable areas, because this small tract is bordered by the Windsor Corporate Park to the north, the proposed Lord Baltimore Drive to the east, and Dogwood Road, to the south. The D.R. 5.5-zoned property is equally unsuited for residential development because it borders Rolling Road to the west, the ML-zoned corporate park to the north and the proposed Tudsbury Road to the south. Such zoning classifications for these tracts can only be the result of mistake or error on the 1988 and previous Comprehensive Zoning Maps.

Therefore, for the reasons stated above and for such other and further reasons as may be presented at the public hearing, Petitioner respectfully request that the Board grant this Petition for zoning reclassification from MLR, MLR-IM, ML, D.R. 3.5, and D.R. 5.5 to ML-IM.

Yours truly,

Robert A. Hoffman

RAH/dok



Baltimore County, Maryland

PEOPLE'S COUNCIL
ROOM 304, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
887-2862/188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

January 30, 1992

The Honorable
William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 48, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Leroy M. Merritt, Petitioner
Zoning Case No. R-92-241
(out-of-cycle)

Dear Chairman Hackett:

It is the understanding of this office that the above-referenced petition for reclassification is in connection with a desire to submit a proposal to the Health Care Financing Administration ("HCFA") to locate an approximately 700,000 square foot office project.

I have reviewed the HCFA solicitation for offers and understand that although zoning would not be required for federal use, it is the desire of HCFA that all proposals include zoning.

This site is only one of several sites that will be presented to HCFA for its consideration. Not all of the sites are in Baltimore County and if HCFA would select a site outside of Baltimore County, it would represent a huge economic loss to the county. For this reason, this office believes that it is not in the public interest to oppose this request for reclassification. However, it is also the opinion of this office that the present zoning is not in error. Therefore, should this parcel not receive the HCFA award and should the Councilperson reinstate the existing zoning during the map process, this office would not consider that to be an error and wishes the record to so reflect this fact.

Respectfully submitted,

Phyllis Cole Friedman

Phyllis Cole Friedman
People's Counsel for Baltimore County

cc: John B. Howard, Esquire
The Hon. Melvin G. Mintz

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman DATE: January 28, 1992
Baltimore County Board of Appeals

FROM: Arnold F. "Pat" Keller, III
Deputy Director
Office of Planning & Zoning

SUBJECT: CASE NO. R92-241/LEROY M. MERRITT PROPERTY

At its regular monthly meeting on November 21, 1991, the Baltimore County Planning Board, voted in accordance with Section 2-356 (1) of the County Code, to certify to the County Council that early action upon the Petition for zoning reclassification of the Leroy M. Merritt Property is manifestly required.

The County Council unanimously approved a Resolution approving the Planning Board's certification on December 2, 1991.

Enclosed herewith is a copy of the report of the Office of Planning and Zoning.

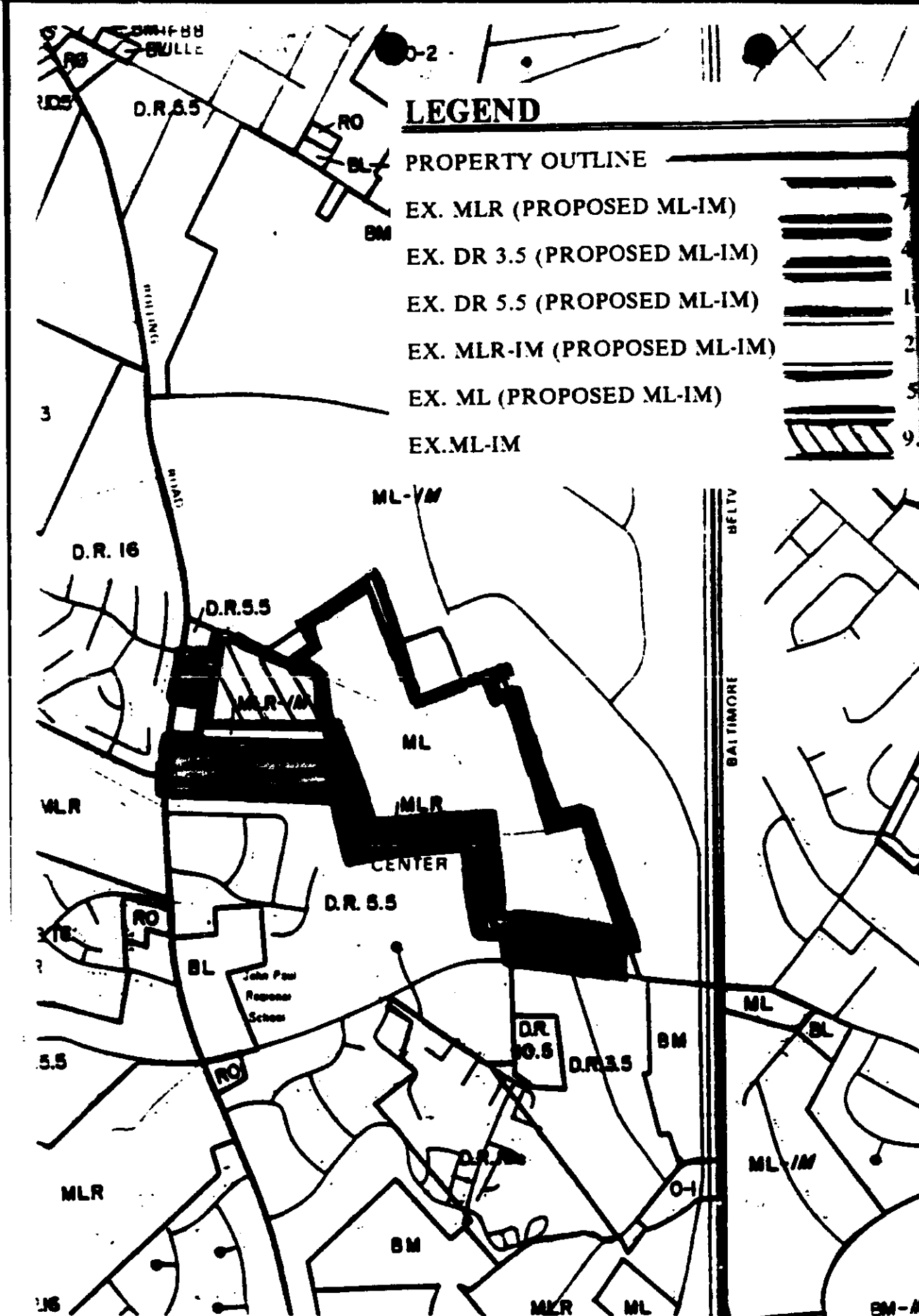
Arnold F. "Pat" Keller, III
Arnold F. "Pat" Keller, III

AFK/JL/lw
PKMEMME.RT/XTLLF

Enclosure

01 15 11 62 11 26

MICROFILMED.



PART OF 1"=1000' BALTIMORE COUNTY ZONING MAP

Petitioner

ORIGINAL

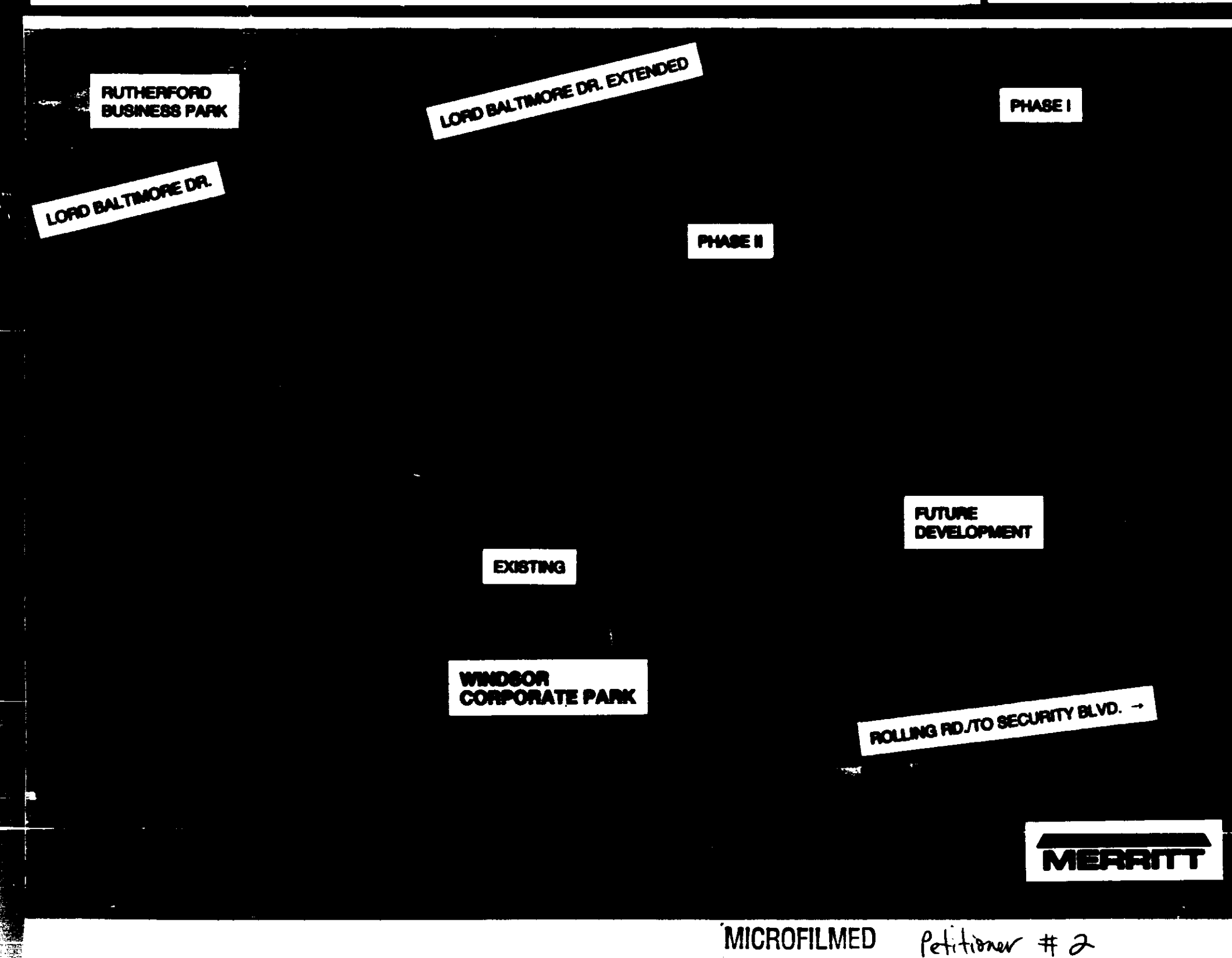
1 IN THE MATTER OF: * BEFORE THE
2 LEROY MERRITT * COUNTY BOARD OF APPEALS
3 (out-of-cycle) * OF BALTIMORE COUNTY
4 * Case No. R-92-241
5 * January 30, 1992
6 * * * * *

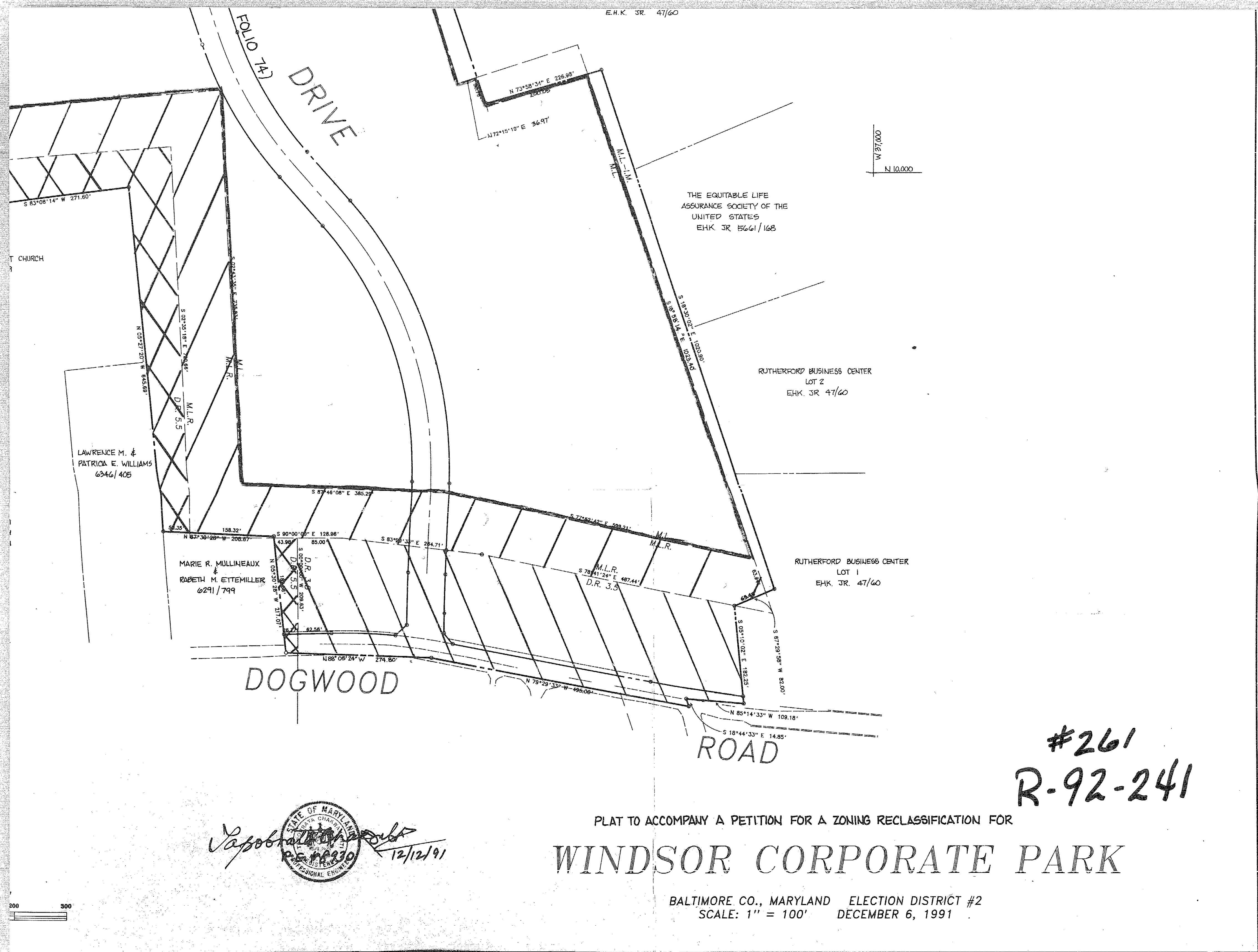
7 The above-mentioned matter came on for hearing
8 before the Baltimore County Board of Appeals at the Old
9 Courthouse, Towson, Maryland 21204 at 10 o'clock a.m.,
10 January 30, 1992.

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12
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14
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16
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18
19
20 Reported by:
21 C.E. Peatt

MICROFILMED.

TOWSON REPORTING COMPANY, INC.





#261
R-92-241

Capobianco
12/12/91
Professional Engineer

PLAT TO ACCOMPANY A PETITION FOR A ZONING RECLASSIFICATION FOR
WINDSOR CORPORATE PARK

BALTIMORE CO., MARYLAND ELECTION DISTRICT #2
SCALE: 1" = 100' DECEMBER 6, 1991

F I / 4

F 14

PT. 6% OF TUDSBURY ROAD
AND ROLLING ROAD
TUDSBURY
ROAD
ROLLING ROAD

WILLIAM V. WERTZ
6801/965

LEROY M. MERRITT
1959/91

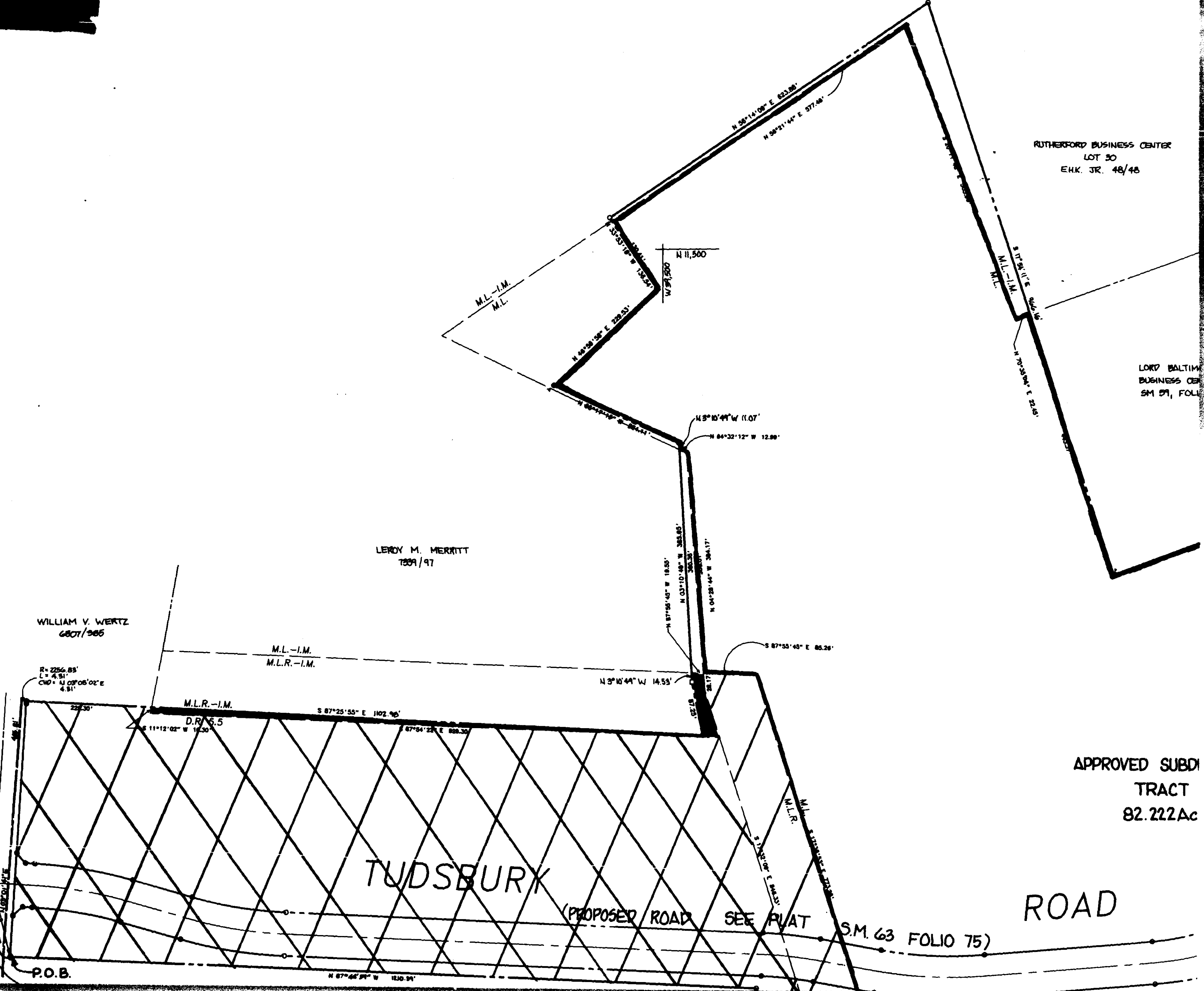
RUTHERFORD BUSINESS CENTER
LOT 30
E.H.K. JK. 48/48

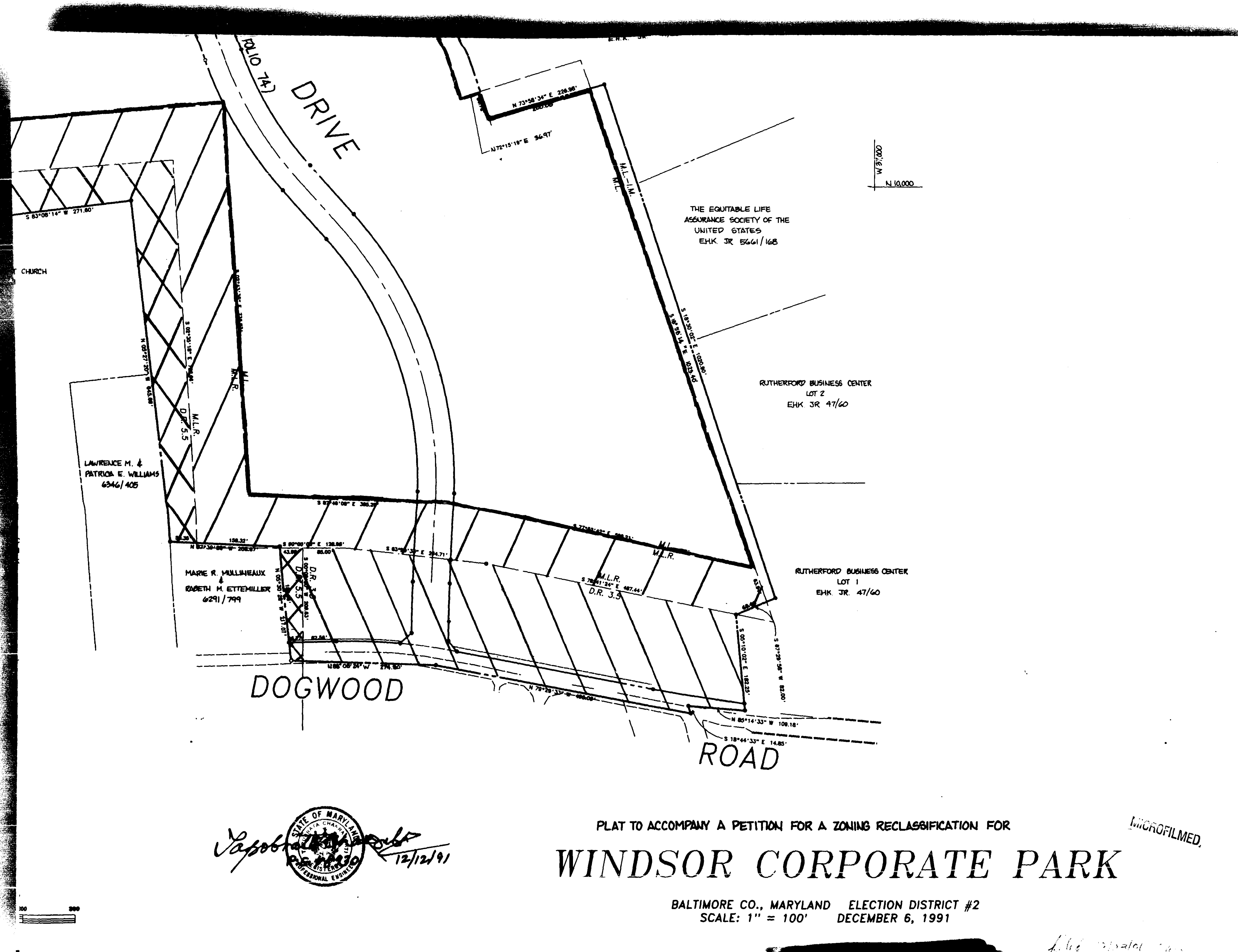
LORD BALTIMORE
BUSINESS CENTER
SM 21, FOLIO 75

APPROVED SUBDI
TRACT
82.222Ac

ROAD

SM 63 FOLIO 75)





Japob...
12/12/91

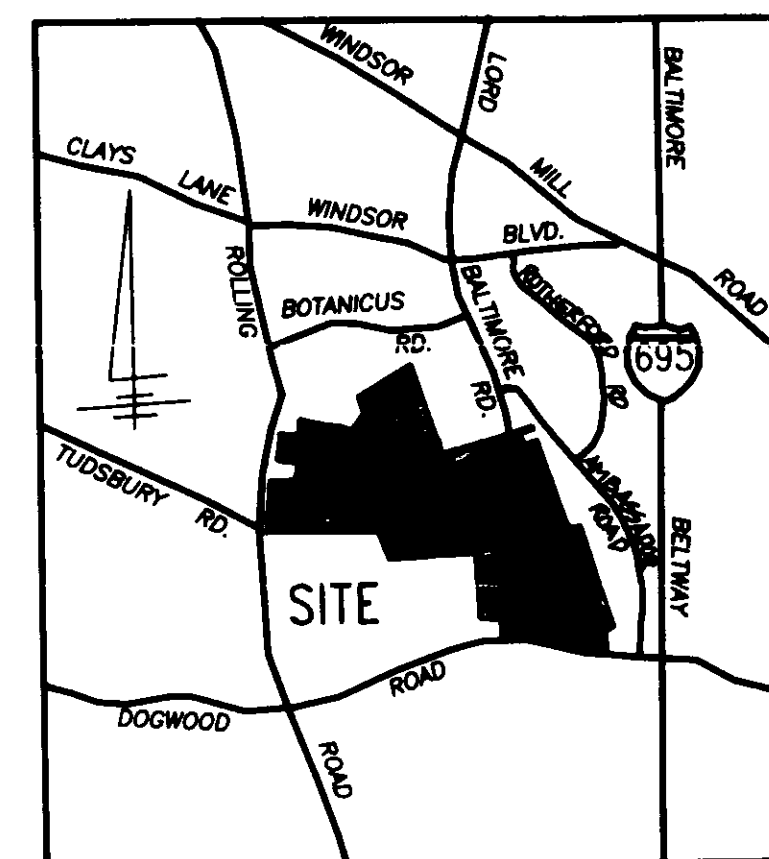
PLAT TO ACCOMPANY A PETITION FOR A ZONING RECLASSIFICATION FOR
WINDSOR CORPORATE PARK

BALTIMORE CO., MARYLAND ELECTION DISTRICT #2
SCALE: 1" = 100' DECEMBER 6, 1991

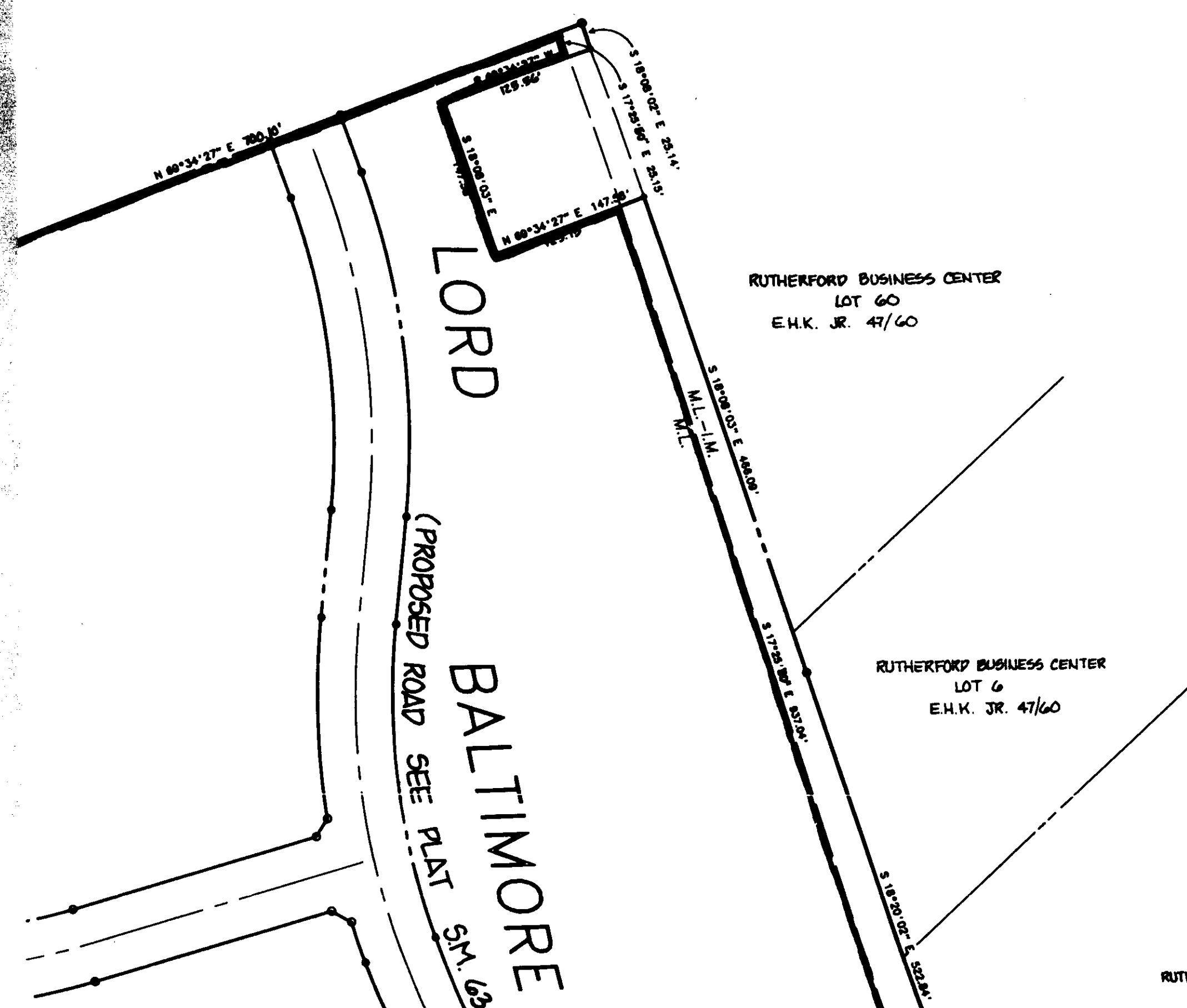
MICROFILMED



Petition
Ex 1



VICINITY MAP
SCALE: 1" = 2000'



F 2 / 4

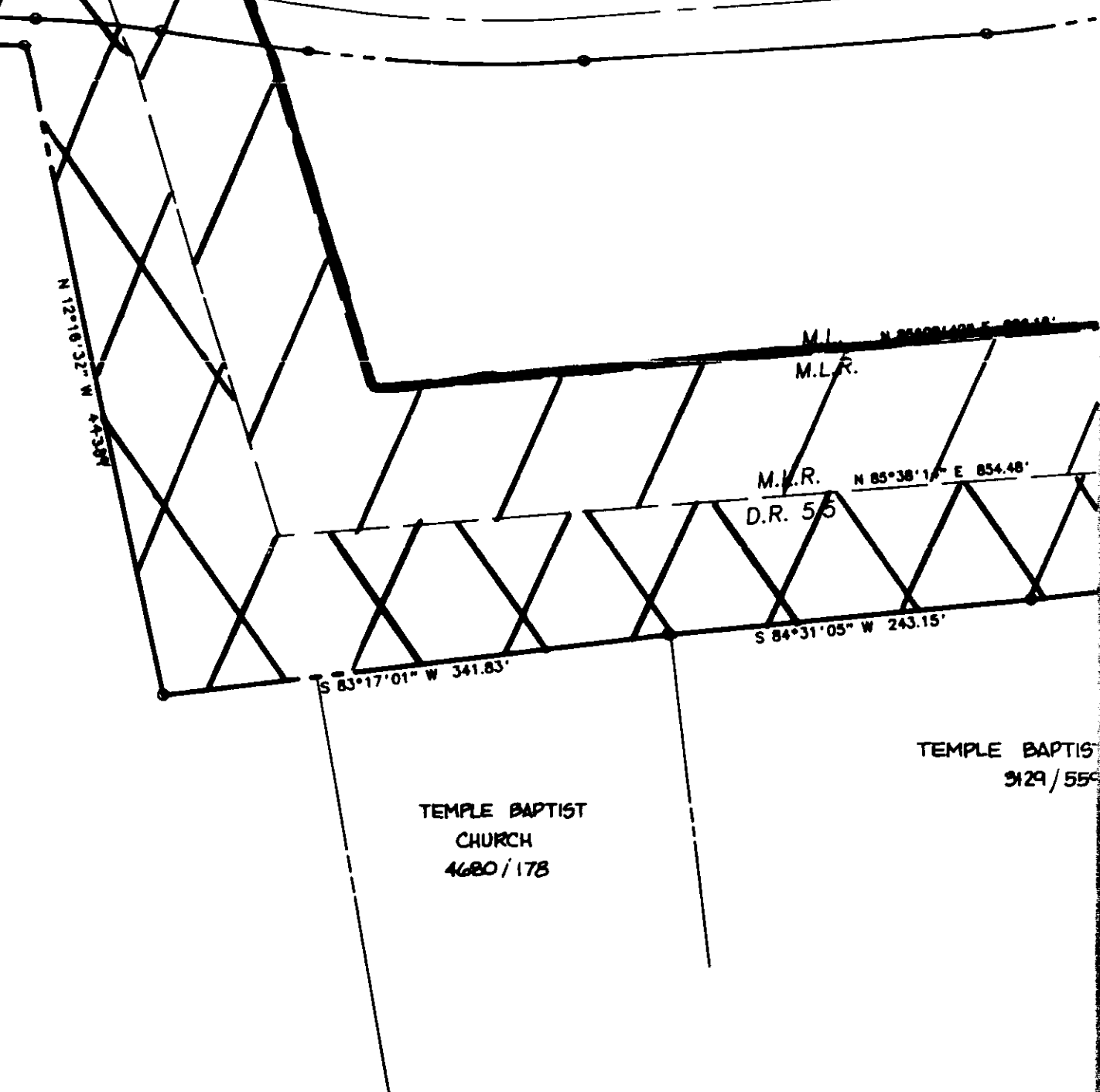
RO

P.O.B. *1
S 13° 47' 02" E 121.01'

N 87° 44' 51" W 1210.94'

FIRST AMENDED
PLAT ONE & TWO
WATERFORD PLACE
54/90, 54/91

N 10,000
W 39,500



ZONING AREAS

M.L.	54.144 AC. +/-
M.L.R. - I.M.	2.081 AC. +/-
D.R. 5.5	16.213 AC. +/-
M.L.R.	7.444 AC. +/-
D.R. 3.5	3.938 AC. +/-
TOTAL	83.820 AC. +/-

LEGEND

EXISTING MLR-IM		TO ML-IM
PROPOSED ML-IM		
EXISTING DR 5.5		
PROPOSED ML-IM		
EXISTING MLR		
PROPOSED ML-IM		
EXISTING ML		
PROPOSED ML-IM		
EXISTING DR 3.5		
PROPOSED ML-IM		



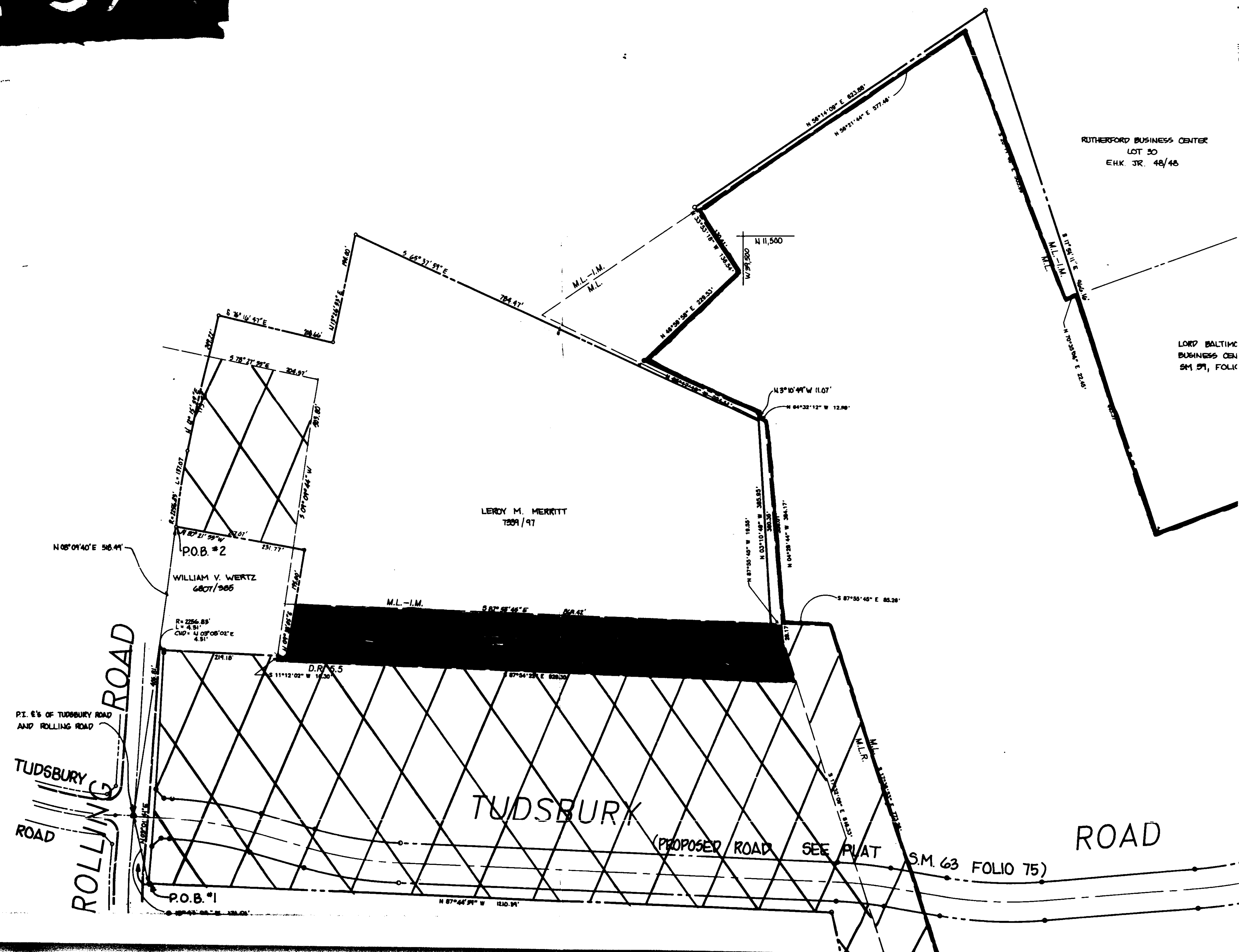
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

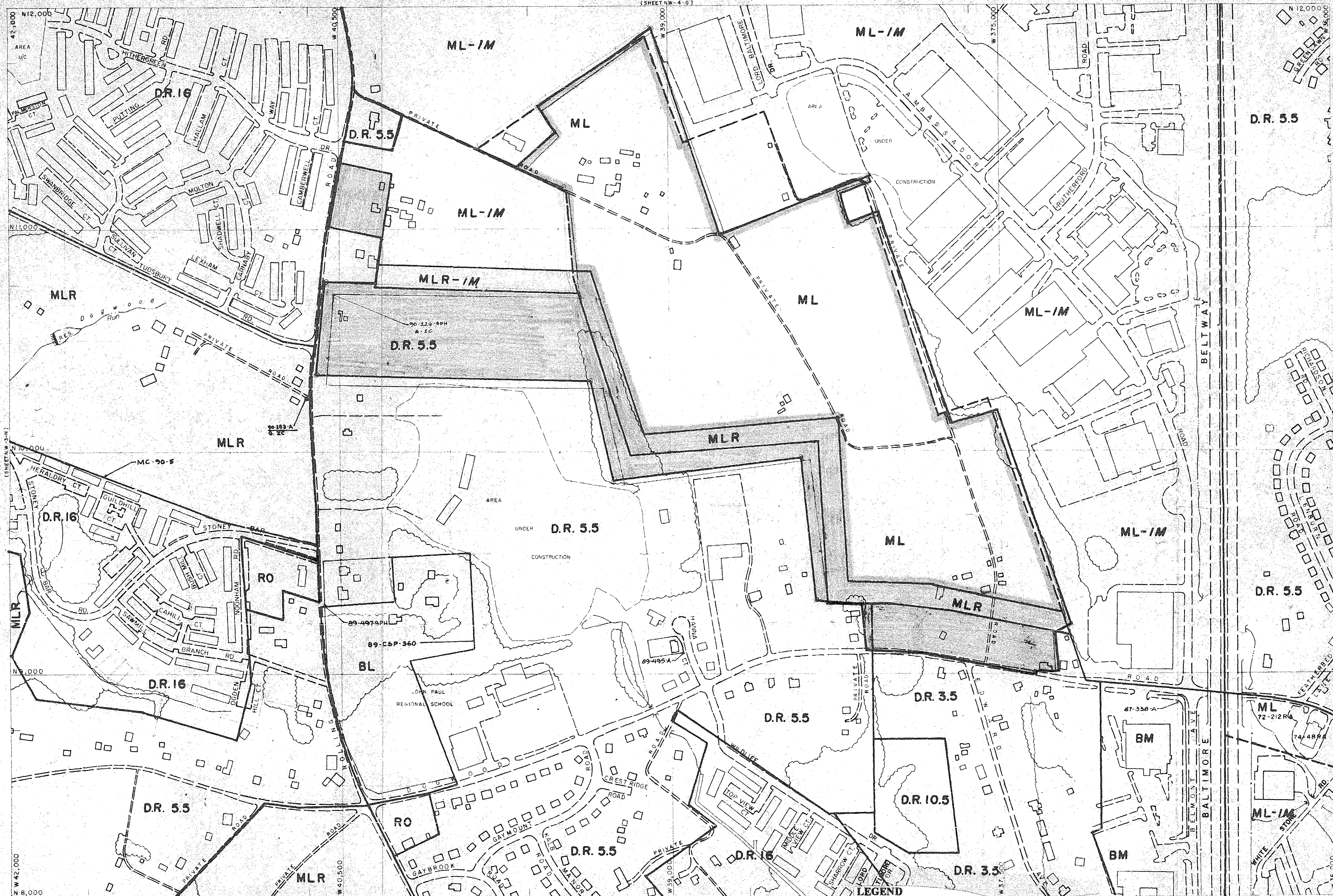
OWNER / DEVELOPER
MERRITT
2066 Lord Baltimore Drive
Baltimore, Maryland 21207
(301) 298-2800

F 3 / 4

Scale 1" = 100
-100 -50 0 100

7 3 / 4





LEGEND

PROPERTY OUTLINE	AREA
EX. MLR (PROPOSED ML-IM)	7.444 Ac. +/-
EX. DR 3.5 (PROPOSED ML-IM)	3.938 Ac. +/-
EX. DR 5.5 (PROPOSED ML-IM)	16.213 Ac. +/-
EX. MLR-IM (PROPOSED ML-IM)	2.081 Ac. +/-
EX. ML (PROPOSED ML-IM)	54.144 Ac. +/-

SCALE	LOCATION	SHEET
1" = 200' ±	BELMONT AREA	N.W. 3-G
DATE OF PHOTOGRAPHY		
JANUARY 1986		

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

R-92-241
REVISED PLANS
RECEIVED DEC. 2, 1991

MICROFILMED